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ENGLISH COLONIES IN AMERICA.

By J. A. DOYLE, M.A.,

FELLOW OF ALL SOULS COLLEGE, OXFORD. 8VO, $3.50 PER VOLUME.

VOL. I.—VIRGINIA, MARYLAND, AND THE CAROLINAS.

VOL. II.—THE PURITAN COLONIES, VOL. I.

VOL. III.—THE PURITAN COLONIES, VOL. II.

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ENGLISH COLONIES IN AMERICA

VOLUME II.

THE PURITAN COLONIES

IN TWO VOLUMES—VOL. I.

BY

J. A. DOYLE, M.A.

FELLOW OF ALL SOULS COLLEGE, OXFORD

'The ages of monotony had their use, for they trained men for ages when the need not be monotonous'

BAGEHOT, *Physics and Politics*

NEW YORK
HENRY HOLT AND COMPANY
1889

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PREFACE.

THE purpose and scope of this book have been explained in the preface to an earlier volume. I have however deviated from the plan there laid down, in that I have given two volumes to a portion of my subject which I hoped to dispose of in one. I shall probably make a still further deviation, and instead of concluding my work with one more volume, give one to New York and the Quaker colonies, and one to the whole body of colonies while under the first and second Georges. In this I propose to deal chiefly with the relations which existed between the colonists and the English government.

It may not be amiss to say a word as to the sources from which I have taken my materials. I have endeavored throughout to act on the sound legal principle of never adducing inferior testimony where better could be had. On that principle I have endeavored invariably to consult an original authority where such could be found. But where, as sometimes has been the case, writers who cannot claim to be original authorities have used materials which are now lost or inaccessible, I have not scrupled to rely upon them, if I could satisfy myself that they were to be trusted. A writer who does so no doubt runs the risk of being called a compiler. It appears to me that he is blameworthy only if he uses the work of other men to save his own trouble, not if he uses it as the only means of giving completeness to his work, without

sacrificing accuracy. If a writer is fit to deal with a historical subject, he is also fit to judge how far his predecessors on that subject may be trusted.

In the preface to my earlier volume I acknowledged the debt of gratitude which I owed to Mr. Noel Sainsbury. I can only now add that during the preparation of these volumes that debt has constantly increased.

In referring to my earlier book I have called it "Virginia &c."

All Souls College, Oxford:
Sept. 27, 1886.

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THE ENGLISH IN AMERICA.

CHAPTER I.

INTRODUCTION.

In the history of the English colonies in America we can trace the operation of two forces, which, to borrow the language of physics, may be called centrifugal and centripetal. The colonies were kept apart by variety of climate, and therefore of occupation and interest. At the same time community of origin and of political traditions, the need for mutual help, and still more for some uniform system of commercial administration, tended to draw the settlements together and to lay the foundation for national unity. So far we have been almost exclusively concerned with the separate life and conflicting interests of the Southern plantations. Only here and there do we catch a faint glimpse of some half-conscious aspiration after unity.[1] But when we pass to the Northern settlements, we are at once brought face to face with those ideas and principles which at a later day served to weld the colonies into one commonwealth. Nor is that all. The scenes which are now coming before us actually display the tendency towards union at work. In the Federation of the New England colonies we see the germ and the foreshadowing of the United Republic.

This difference between North and South is partly due to natural conditions of soil and climate. In the Southern colonies we see a sparse and wholly agricultural population, consisting mainly of slaves and slaveowners. In the North, slave labor is ineffectual; population is, for a newly-settled country, dense,

1 See *Virginia*, etc., pp. 272, 292.

and agriculture is supplemented by trade and fishing. In the eighteenth century, and still more in the nineteenth, nearly all the features by which the North was marked off from the South were caused by these conditions. For the present we are rather concerned with differences due to the materials from which the colonies were originally formed, and to the motives which actuated the founders of them.

We have already seen how the Southern colonies were constructed. So far as they reproduced English life, it was the free, unreflecting life of the country squire. Like his counterpart at home, the Southern planter might be self-indulgent if he would; if he labored, it was from energy of temper or public spirit, not in obedience to the pressure of circumstances or to the opinion of his neighbors. New England copied the sober life of the English yeoman and trader, a life lacking grace and brightness, but never forgetful of moral and religious discipline, nor of duty towards the household and the State.

So too, we find that which has been hitherto wanting in the history of the American colonies, a vigorous political life. The records of the Southern plantations are not wholly free from disputes and conflicts. But these almost always turn on matters of personal conduct or details of administration, scarcely ever on questions of principle. In New England we are brought face to face with those great problems of legislation and government which are common to all free and progressive communities.

Thus, in studying the history of New England we are beset by two special dangers. One of these arises from the nature of our authorities, the other from the temper in which we approach our task. The material from which we have to reconstruct the life of New England is far more abundant than in the case of the Southern colonies, but it is also from its nature far more likely to lead us astray.

In dealing with the Southern colonies we may misinterpret our authorities, but we are in little danger of being wilfully misled by them on important matters. Our knowledge of their political history is chiefly derived from those who wrote for some immediate practical purpose, and with no deliberate intention of telling a tale to posterity. The history of the Southern colonies is for the most part to be gleaned out of dispatches, entry books, and the like. When the Virginian or the Marylander did deliberately sit down to describe the world in which he lived, he

had no self-conscious feeling that he was writing about the infancy of a great nation. The wonders of external nature, the fertility of the soil, the abundance of strange beasts and birds, the adventurous life of the wilderness, the peculiar customs and fanciful mythology of the savage, all these absorbed the interest of the settler and excluded any speculation about the destinies of his little commonwealth. But with the New England Puritan it was different. He had an exaggerated and even a morbid sense of his responsibilities as a citizen, and an enthusiastic conviction of the greatness which awaited his new country. Steeped in scriptural learning, he never ceased to regard himself as one of a peculiar people, the chosen and predestined heirs to the new Canaan. No event in his history seemed trivial to him, since each was a step in the chain by which God was working out the great destiny of the Puritan commonwealth. At the same time, that provincial spirit of exaggeration which is almost invariably found in a young community, led the Puritan colonist to see a Latimer or a Calvin in the occupant of every village pulpit. Thus, in gathering our information from the abundant supply of chronicles and biographies which the piety and the intellectual activity of New England have bequeathed to us, we are constantly at the mercy of self-deceiving enthusiasm. We are reading not a history but a hagiology.

An equal or even greater danger lies in the nature of the subject and our mental attitude towards it. The men of the seventeenth century are so closely akin to ourselves in their political ideas and aspirations, we all of us have so direct an interest in the result of their contests, that it is scarcely possible to judge them with impartiality. And in the nature and spirit, though not always in the outer form of its political contests, New England was but the counterpart of the mother country. The issues on which the political battles of Massachusetts were fought out, the limitations which the state may for its own protection impose on individual freedom of speech and action, the right of a majority to define the conditions of citizenship, these were among the main problems which had to be solved by English statesmen in the seventeenth century; in a slightly altered form they have occupied every generation since, and occupy us still.

Even more difficult is it wholly to avoid partisanship in dealing with those theological disputes which are so strangely and inextricably blended with New England politics. The feelings

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and antecedents of every Englishman must in some measure incline him either to sympathize with the Puritan in his moral earnestness, his pitiless self-sacrifice, his boundless and unswerving confidence in the ever-present guidance and protection of God, or else to be repelled by his narrow aversion to all that lay beyond his own sphere of vision, the blind self-confidence with which he interpreted the divine decrees, and the ruthless severity with which he enforced them.

Over and above the danger of being biassed by sympathy or antipathy in our estimate of Puritanism, there are other misleading influences against which we must guard ourselves. One of the chief evils against which the Puritan fought is so remote, and seems to us so impossible, that we are in danger of overlooking the reality of it. We can scarcely place ourselves in the position of men who had to deal with Popery, not as an insidious enemy, now and again making a successful raid under the cloak of obscurity and weakness, but as an open foe, militant and aggressive. It is hard to bear in mind that what are now the stock phrases of triumphant bigotry were once a daring and much needed protest on behalf of spiritual freedom.

As with the doctrinal aspect of Puritanism so is it with the moral. The reputation of a great movement often suffers by the completeness of its victory. To judge Puritanism aright we need to have before our eyes the evils against which it made war. We are apt to forget that a large portion of what was once the distinctive morality of Puritanism has been, so to speak, absorbed into the moral creed common to the whole nation. The chastity of woman, the sanctity of domestic life, "our pure religion breathing household laws," respect for these forms part of the moral code of every Englishman who has any such code at all. They were once the strongholds for which the Puritan did battle against the assaults of the courtier and the dramatist.

In another way, too, we must beware lest we import the ideas of the nineteenth century into our judgment of the seventeenth. In all questions of toleration, whether we are dealing with Churchman or Puritan, with Laud or Endicott, we must remember that the whole standard of public morality is altered. To speak of the Puritan, whether in England or America, as the champion of spiritual freedom, is a proof of ignorance or worse. Toleration was abhorrent to him, even when he most needed it. He would have scorned those pleas of expediency which modern

apologists have sometimes urged in his behalf. His creed on this matter was as simple as that of Saint Lewis or Torquemada. He had possession of the truth, and it was his bounden duty by whatever means to promote the extension of that truth, and to restrain and extirpate error. In this he in no wise fell short of the moral standard of his age. Here and there, indeed, might be found either a man of exceptional wisdom and liberality, such as L'Hôpital or Bacon, or a skeptical statesman like Henry of Navarre, or Baltimore, who seemed in some measure to anticipate the more enlightened doctrines of a later day. But it is no reproach to men that they neither rose above the wisdom of their own generation nor fell short of its enthusiasm, and that they were not among the few who could anticipate a moral reform.

The difficulties which thus beset the history of the Puritan colonies are not to be avoided by refusing to consider the religious aspect of the question. In New England we cannot even temporarily or in thought sever religion from the other elements of national life. The word of God, as revealed in the Bible and as taught by certain authorized interpreters, served as a standard by which every act of individual or national life must be measured. Whatever may be our judgment of the American Puritan, the pervading and ever-present character of his religious belief cannot be overrated. A New England writer did no more than justice to his commonwealth when he said, "If any make religion as twelve and the world as thirteen, such an one hath not the spirit of a true New England man." [1]

If, then, we would enter into the spirit of New England history, we must clearly understand what is implied in the name Puritan.

One use we may disregard. In England, during the sixteenth and in the earlier part of the seventeenth century, the Puritan was often marked off from the Separatist. Identical or nearly so in doctrine, in their views about ritual, and in their moral code, they differed in their attitude towards the established Church. The Separatist was hostile to the Church, not only as corrupt, but as being in principle at variance with the right order of things as laid down in Scripture. The conforming Puritan was willing to remain within the Church if it could be

1 Higginson's "Election Sermon, 1663," quoted in Belknap's *History of New Hampshire*, vol. i. p. 61.

purged from what he regarded as the abuses bequeathed to it by Rome. Each of these classes bore its part in the settlement of New England.

In their new home, however, the distinction which had separated them disappears. In England, the conforming Puritan unwillingly accepted the forms of the Church, from the dislike of violent change common to Englishmen, from respect for historical association, from hope of reform, and because Anglican and Puritan were divided from one another not by a gulf, but by a border-land in which the two sets of opinions insensibly blended. In America all this was changed. In England, external conditions had kept the Puritan in temporary union with a system to which in his heart he was hostile. In America he was set free from these conditions and accepted his emancipation.

For our purposes then we may disregard these accidental differences which existed in England. Time indeed brought other divisions. But for our present purpose we may look on the Puritans of New England as a compact and homogeneous body, bound together by a common morality, a common system of worship and ecclesiastical discipline, and common theological doctrines.

The distinctive morality of the Puritan does not need to be formally set forth. As displayed in America it will naturally unfold itself in the course of our history. His system of worship had a positive and a negative side, and, as in most systems, the former was its strength, the latter its weakness. On the one hand it clearly asserted and upheld the great principle that no machinery can by itself make men righteous, and that all religious systems must be tested, not by their picturesqueness nor their historical associations, but by their influence, direct or indirect, on men's spiritual and moral nature. On the other hand, the Puritan showed a total inability to recognize the diversity of man's spiritual wants, and the corresponding variety of the machinery needed to stimulate and to satisfy those wants. He clearly saw that human life was a battle against the powers of evil, but in that battle he would use no weapon which had once been defiled by the touch of Rome, and he thus left to his opponents all those instruments which the experience of many centuries had fashioned and elaborated.

The theology of Puritanism was in one respect its most important because its most characteristic feature. The Puritan might,

under pressure of circumstances, diverge widely from any one fixed standard of Church government or ritual. His morality was not so much a definite or systematic code, as the loyal acceptance of certain principles and subjection to certain influences. His theological creed, on the other hand, was hard, unaccommodating Calvinism.

The theology of the Puritan had a double effect. It determined all his views of human conduct and life, and it gave him a political creed. Setting aside its influence on the moral character of the individual, we may look on Calvinism as a system which at once predisposed the holder towards certain political principles and brought him in contact with certain political associations. From this point of view, then, the Calvinistic creed and the Calvinistic system of Church government may be dealt with together. Between them they make up what is for us the most important side of Puritanism, that which we may call its constructive and political aspect.

The system of Church government which afterwards found its complete development in New England, was, indeed, in outward form, other than that propounded and fashioned by Calvin. The conception of the congregation as the unit of ecclesiastical government seems to have been first definitely formulated as a system by Zwingle. "Hong and Kussnacht is a truer church than all the bishops and popes together," was the formal declaration of his ecclesiastical theory. The age was not ripe for such teaching. The dread of anarchy and the need for compromise with the civil power, and for union in the face of the enemy, made any such system for the present impossible. But while the practical genius of Calvin overrode the theories of Zwingle, at the same time it insured their ultimate triumph. The machinery, half ecclesiastical, half political, which Calvin established, became the instrument for bringing into existence a system which embodied the theories of the earlier reformer.

The Puritanism of New England did not merely derive its theological dogmas from Calvin; it owed to him the spirit which pervaded and quickened its ecclesiastical institutions. The creed taught by Calvin has been ever associated with self-government in civil and ecclesiastical matters partly through the circumstances of history, partly from the character of the Predestinarian theology. The new doctrines found their first home among the free institutions of civic life, and the religious and political

institutions of the Swiss cities naturally blended with one another.

The same associations which surrounded Calvinism in the land of its birth followed it in the lands of its adoption. The reformers of Germany and England found allies and supporters among princes, and the purity of their principles at times suffered by the necessity for compromise. The corruption of the French and Scotch courts gave the teachers of Calvinism scope for condemning the powers of this world, in the spirit of the Hebrew prophets. But apart from any conditions of origin or early training, it is the essential tendency of Calvinism to destroy all distinctions of rank and all claims to superiority which rest on wealth or political expediency. Beside the conception of an aristocracy divinely chosen on the most awful principles of exclusion, all gradations are as nothing. The sovereignty of one supreme will annihilates all lesser power, save that which can clearly make good its claim to some delegated right. Thus, while Calvinism sweeps away all sovereignty resting on mundane claims, it does not leave man free to go his own way, but steps in and fills the vacant throne with its own peculiar authority. Theoretically indeed, the doctrine of necessity denies the need for any control, by denying the possibility of disobedience. Practically, there is no sovereignty more exacting and more irresistible than that which professes to be simply carrying out the decrees of Omnipotence. In New England Calvinism had for the first time a free and open field for political action. There, accordingly, we see displayed to the utmost its special characteristics; the unswerving assertion of its own sovereign power, the repudiation of all other authority.

The Marian persecution brought the English reformers under the influence of the Calvinistic ideas alike in theology and Church government. On the latter side, at least, those ideas found a congenial soil in the minds of Englishmen. In adopting the system of congregational worship and discipline the English Protestant was but following the habits which the training of generations had made almost instinctive. The independence of Parliament might have been greatly lessened under Yorkist and Tudor rule, but the Englishman of the sixteenth century had other, and perhaps for the bulk of the community more effectual, training in self-government. The usages of the free Teutonic commonwealth lived on, though in altered forms.

The yeoman still took his part in the proceedings of the court baron; the townsman belonged to a trade guild and sat in his city corporation. The centralizing despotism of the Tudors may have narrowed the province and curtailed the forms of the old local institutions, but it hardly weakened their spirit.

The habits which had been engendered by centuries of self-government gained greatly in strength by being transferred to a virgin soil. The power of shaping new institutions was stimulated by the need for them. At the same time it was no longer fettered by the complex interests and restraints of an old-established community.

Thus the ecclesiastical history of New England is not so much concerned with the extension and progress of theological doctrines as with the constitutional growth of religious communities. Indeed, the spiritual aspect of Puritan life was somewhat overlaid and crushed by the minuteness of ecclesiastical organization. For this and other reasons Puritanism, in its later and more mature forms, is less attractive than in its early and struggling days. In this respect it follows the general course of religious movements. A party in its hour of infant weakness and persecution consists only of those who are really zealous for its objects and will make great sacrifices for them; it has nothing wherewith to bribe those who are accessible to meaner motives. Then the penalties of joining it grow less and the advantages more. Its followers are no longer braced up by the need of making converts; its opponents and its supporters have in some measure changed positions. The latter begin to rely upon established public opinion; the former feel the need of justifying their position by argument and of commending it by the example of their lives. As the movement becomes popular it also becomes secularized; something is yielded to expediency, and purity of doctrine and practice becomes tainted with compromise. In other ways, too, the character of Puritanism was altered by its transfer to America. The change was in some respects for the better, in some for the worse. Relieved from the pressure of persecution, from the need of constantly assuming an attitude of watchful antagonism, Puritanism lost much of its harshness. For the first time the Puritan lived in a world that was friendly and full of hope; he had passed from the land of bondage to the land of promise. Yet this very change had its drawbacks. Freedom from opposition may sweeten the moral

nature, but it is not conducive to mental activity. The arms which were no longer needed were suffered to rust, and the theology of New England became more and more a sterile and unreflecting repetition of fixed dogmas. Calvinism in America ever tended to become more a system of ecclesiastical discipline, less a fountain of spiritual truth.

To an Englishman the history of the Puritan colonies has a special attraction, as showing how the constitutional principles of his own country may be adapted and developed in altered conditions of life. Besides this, it has another peculiar interest. In New England we can see the unchecked working of a principle whose operation in England was modified and balanced by other influences. The reformation of religion in England was not an isolated movement; it was but one of various forms in which a great national awakening showed itself. It had nothing in common with some of those forms; with some it was actively at war. But though the English Puritan might abhor the Renaissance and its works, he could not wholly sever himself from them, any more than he could free himself from the religious and political associations which surrounded him from infancy. While the Puritan saw daily before him the relics of mediæval piety, while his thirst for religious knowledge brought him under the spell of the new learning and its manifold culture, Calvinism could not wholly have dominion over him. The writings of Milton show how English Puritanism was forced to assume a width of view alien to its true nature. In America it was otherwise. Whatever praise, whatever blame attaches to New England in its early day must be set down to Puritanism. When it triumphed it triumphed of its own unaided strength; where it failed it failed from its own insufficiency and narrowness.

CHAPTER II.

THE PLYMOUTH PILGRIMS.[1]

Organization of the Independents.

As English history really opens amid the scenes and institutions described by Tacitus, before any English invader had set foot on the shores of Britain, so it is with the Puritan colonies. The constitutional history of New England, in truth, began when the first congregation of English Nonconformists came into being. The revolt from the Papacy had not gone far when the gulf between the moderate

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1 The authorities for this chapter naturally resolve themselves into two groups: (1) Those who deal with the attempts to settle to the north of Cape Cod, between 1602 and 1620, and with the restoration of the Plymouth Company; (2) those bearing on the history of the Puritan settlers. The authorities for the voyages between 1602 and 1607 have been already referred to (*Virginia*, etc., pp. 102–2). They are mostly published in Purchas, and are republished in the *Massachusetts Historical Society's Collection*, 3rd series, vol. viii. Of Popham's attempted colony we have a full account in Strachey's *Travayle into Virginia Britannia*. John Smith's explorations are described in two pamphlets written by him. The first, published in 1616, is entitled *A Description of New England;* the second, called *New England's Trials*, was published in 1622. Both were originally printed in London, and are included in the second volume of Force's collection. They are also in the new and complete edition of Smith's works published by Mr. Arber in 1884. All my references to Smith in this volume are to that edition. Sir Ferdinando Gorges' *Description of New England* is a valuable contemporary record of all the events of New England history in which the writer himself took part. Unfortunately the style is often careless and obscure, and the chronology confused. It was originally published by the author's namesake and grandson in a collection entitled *America Painted to the Life*. The description is republished in the *Massachusetts Historical Collection*, 3rd series, vol. vi. The Plymouth Company two years after its revival published a tract called *A Brief Relation of the Discovery and Plantation of New England*. It is republished in the *Massachusetts Historical Collection*, 2nd series, vol. ix.

Our knowledge of the Plymouth Puritans is derived mainly from the writings of Bradford and Winslow. I have in my text spoken fully of both writers. Bradford's history remained in manuscript till the present century. It had been given up as lost, but was discovered by Mr. Young about 1840, and has been edited and published by Mr. Charles Dean, in 1856, as the third volume of the fourth series of the *Massachusetts Historical Collection*. In referring to it I have throughout quoted the original pagination. It served as the basis for *New England's Memorial*, published by Nathaniel Morton in 1669. Indeed, the greater part of Morton's work is no more than an abridgment of Bradford's.

Bradford's letter-book, published in the 1st series of the *Massachusetts Historical Collection*, vol. iii., contains much that is valuable. Except Bradford's history, almost every-

and the thorough-going reformers showed itself. The revival of letters did much to break down the boundaries of race and

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thing that bears on the early history of Plymouth has been published, either in the *Chronicles of the Pilgrim Fathers*, by Alexander Young (Boston, 1844), or in the modern edition of *New England's Memorial* (Boston, 1855). One of the ablest and most highly educated men among the Plymouth settlers, Edward Winslow, has left three pamphlets containing much valuable material. The earliest in subject, though not in date of production, is a controversial work entitled *Hypocrisy Unmasked*, published in London in 1646. The main substance of this pamphlet is an attack upon one Samuel Gorton. This will come before us again. But to this is appended an account of the emigration from Leyden. Winslow also published *A Relation or Journal of the Beginning and Proceedings of the English Plantation settled at Plymouth* (London, 1622), and another pamphlet, entitled *Good News from New England*, in 1624. These three pamphlets are all given by Mr. Young. My references to Winslow, unless otherwise expressed, are to this reprint. There is besides among the Colonial Papers a memorial from Winslow addressed to the Privy Council, containing some interesting information about his doings in New England.

Prince's *Chronological History of New England* is a trustworthy compilation from early authorities. So much of the work as came down to 1630 was published in one volume in 1736. The rest appeared in a fragmentary form, and was republished in the second series of the *Massachusetts Historical Society*, vol. vii. The whole of Prince's work was edited by Mr. Drake, and published in 1852. My references are to this edition. The *Records of Plymouth* have been published in a complete form in twelve volumes, edited partly by Mr. N. B. Shurtleff, partly by Mr. D. Pulsifer. They extend from the foundation of the colony down to its incorporation with Massachusetts in 1692. The Rev. Joseph Hunter, in his *Founders of New Plymouth*, has collected all that can be learnt about the Independent church at Scrooby, its flight to Holland and sojourn there. Another very valuable authority has lately come to light. It is a document bought in 1875 by the British Museum, and entitled *A Description of New England*. It bears neither date nor the name of the author, but it was evidently written in 1660 or 1661, since the writer refers to the execution of the three Quakers "last year." It may also be assumed, I think, as certain, as it is assumed by Mr. Dean, who has edited the pamphlet, that Maverick was the author. The writer speaks of himself as having, in 1625, "built and fortified the ancientest house in the Massachusetts government." No settlement except Maverick's answers to that description. Hostility to Massachusetts runs through the whole pamphlet, yet, as far as we can test the writer's statements by comparison with other authorities they are accurate. Thus it has great value as the only contemporary account of New England from its earliest days, written from an anti-Puritan point of view. It preserves many details concerning the scattered settlements to the north of the Piscataqua.

Another authority, in some measure of the same kind, is Thomas Lechford. He was a London attorney, who got into trouble in England by supporting Prynne. He either was banished or fled to escape punishment. He reached New England in 1638. He had decided and peculiar views on Church government, and having quarreled with Episcopalians in England he quarreled with Nonconformists in America. He more than once incurred judicial censure for his attacks on the ecclesiastical system of Massachusetts. In 1642 he wrote a pamphlet called *Plain Dealing in New England*. It is a detailed account of the system of civil and ecclesiastical government in Massachusetts. It is clear that the writer was in sympathy with the general principles and aims of the colonists, but was a man given to exaggerate the importance of mere details and questions of procedure.

Plain Dealing was republished in the third series of the *Massachusetts Historical Collection*, vol. iii. A later edition was published in 1867 with an introduction and notes, both very full and of great value, by J. H. Trumbull. Though Lechford mentions Plymouth, his place is among Massachusetts writers.

Morton's *New English Canaan* is likewise an anti-Puritan account of early New England history, but it has little authoritative value. I shall have occasion to speak of the author and his work in my text. The book has been admirably edited for the Prince Society by Mr. C. F. Adams. His preface is an exceedingly valuable monograph upon all the subjects on which Morton's history touches.

country, and the persecuted English Protestant constantly had dealings with the reformed churches of Holland, Germany, and Switzerland. Congregations of foreign refugees in London and Norwich enjoyed by the special permission of the Crown their own discipline and worship, and must have served as a model and an encouragement to English Nonconformists. The first introduction of the congregational system in England is necessarily obscure, inasmuch as the movement, if not unlawful, was so far opposed to the wishes of those in power as to make secrecy expedient. In 1567 a small Independent congregation with a pastor and deacon of its own was set up in London. Two years later another and, as it would seem, a larger body, established itself at Wandsworth.[1]

These were followed by other bodies of the same kind, styled conventicles. Side by side with these sprang up certain so-called Prophesyings, or organizations for moral and religious instructions, not, indeed, professedly opposed to the Church, but independent of it, and hostile to the spirit of Anglicanism. When the conventicles and prophesyings were suppressed by the authority of the Crown, an attempt was made to combine the objects of both in an organization which should be within the pale of civil and ecclesiastical law. This was to be effected by a system of discipline established in the eastern and midland counties. Assemblies of clergy were held, at which ecclesiastical matters were discussed and rules of practical discipline framed, independent of the authority of the Church of England, and sometimes in opposition to it. Afterwards meetings were held in London, with precautions for secrecy. There, under the direction of two eminent Nonconformist divines, Cartwright and Travers, a code was drawn up for the guidance of such parish clergymen as chose to adopt it. This has been described by a friendly writer as "an attempt to introduce a reformation into the Church without a separation,"[2] by a hostile one as a scheme "for breeding up Presbytery under the wing of Episcopacy."[3]

This was to be done by instituting a voluntary discipline alongside that recognized by the Church, and, as far as might be,

1 Waddington's *History of Congregational Government*, 1869–80. This writer has worked out with great care the early history of the Nonconformist congregations in England.

2 Neal, *History of the Puritans*, ed. 1754, vol. i., p. 233. A full account of this organization is given in a pamphlet written by Bancroft, the future Archbishop, in 1593, and entitled *Dangerous Positions and Proceedings*.

3 Heylin, *History of the Presbyterians*, ed. 1670, p. 300.

utilizing the established system. This discipline was to take cognizance of theological dogma, morality, and public worship. The ministers who accepted it were not to be content with episcopal ordination, but were also to obtain the approval of an assembly. Patrons of livings were to be "dealt with earnestly," to persuade them to present fit incumbents. Neither the Common Prayer Book nor the ceremonies of the Church of England were to be used. If an incumbent were threatened with deprivation for such omission, he might bring his case before an assembly. The lay officials, the collectors, and churchwardens were to be looked upon as elders and deacons. To enforce and administer this system local assemblies were to be formed, under the control of provincial synods; these in their turn were to give account to a national synod.

The energy of the Queen and the Bishops prevented this system from being carried out in its integrity. But the fact that it was devised and found many adherents shows how the Nonconformists of the sixteenth century were learning the lesson of organization and self-government. They were, in fact, on a small scale, much in the position of the Christians under the heathen Emperors. The nonconforming congregations had no acknowledged position in the eye of the law. But they had all the powers and machinery of self-government ready, and only needed recognition to stand out as autonomous bodies, capable of undertaking many of the functions of the civil authority.

Meanwhile another movement was at work, different from that just described in its formal and avowed objects, but tending towards the same result. In 1582, Robert Browne published a "Book which sheweth the Life and Manners of all true Christians." The writer was an ordained clergyman, whose character and conduct seem to have been such as to give no small advantage to his controversial opponents. Whatever the man may have been, his work marks an epoch in English history. It is the first formal assertion of that doctrine which has ever since formed the quickening principle of English dissent. It definitely sets forth the claims of the congregation, bound together by common faith and worship, to be a self-governing body complete in itself. That is to say, it revived those doctrines of Zwingle which had been discredited by the outrages of the Anabaptists and crushed by the rigid organization of the Calvinistic system. To us, who see how readily English nonconformity adapted itself to the system set forth by Browne,

Brownism.

it seems difficult to believe that his teaching met with bitter hostility from those who might be regarded as the recognized and authoritative exponents of Puritanism.

The Puritan of the school of Cartwright was scarcely less wedded to the principle of a national church than the Anglican of the school of Hooker. Here, as often, the permanent influence of a party was determined not by the profession with which it started, nor the formal distinctions which at the outset divided it from its opponents, but by the under-currents of thought which it kept alive. The reforming Puritan was at one with the Brownist in his estimate of man's spiritual nature and his earthly mission. His teaching was making clear the way for the institutions which he denounced. Moreover, the gulf between Presbyterianism and Independency might at any time be narrowed, till in practice they met. Presbyterianism need not leave the individual congregation wholly without power of independent action; congregational Independency, as interpreted by the next generation, left a wide margin for the exercise of authority by the whole body of churches confederated together. The ecclesiastical scheme laid down by Browne, and by those continental reformers whom he followed, treated each congregation as a distinct body, with certain rights of self-government in matters of faith and ritual.

At the same time it did not necessarily make those rights complete. The authority of the separate congregation must be limited by reference to the joint authority of the whole body of believers. In other words, the system might be that of a number of wholly independent communities or that of a federation. Moreover, the English Puritan, if he clung to Presbyterianism in theory, was almost compelled to adopt Congregationalism in practice. Indeed, it might be almost said that the policy of Whitgift made Presbyterians into Brownists against their will. Isolation was a needful consequence of secrecy and weakness. The so-called presbytery at Wandsworth must have been, for all practical purposes, an Independent congregation.

Before dealing with the first Puritan settlers in America it is needful to say something of the land which they were to occupy, and of those who had already visited and endeavored to inhabit it. Between 1602 and 1607 at least three English voyagers had touched upon the coast north of the Hudson, and explored the country with a view to colonization.

Voyages to New England.

I have already spoken of these voyages in connection with the history of Virginia.[1] They have a more direct bearing on the settlement of New England. Their result was to reveal the seaboard from the Kennebec to Cape Cod, including the whole of what afterwards was the coast of Massachusetts. It was found to be a country in every way well fitted for habitation; the sea abounding in fish, and the land in timber and in beasts and birds good for food; the native peaceful, friendly, and ready to trade. The one drawback, the severity of the climate, necessarily escaped the notice of voyagers in the summer, and was only learnt by painful experience.

The North Virginian Company.

It will be remembered that the original Virginia Company contained two branches, one having its headquarters at London, the other at Plymouth.[2] The fate of the former has been already told. The career of the latter, short and troubled as it was, formed a stage in the process by which New England was colonized. Like the Virginia Company the Northern branch drew its strength from that source which had contributed so largely to the colonial enterprise of the previous century, the gentry of Devonshire. Foremost among its supporters was Chief Justice Popham. His experience as a judge had probably impressed on his mind the necessity for colonization as a remedy for that over-population and lack of employment to which crime was so largely due. He had already turned his thoughts to such questions, if it be true that he had a large share in framing and supporting the severe acts against vagrancy framed in the later years of Elizabeth.[3]

Sir Ferdinando Gorges.

Among Popham's associates was Raleigh Gilbert, the nephew of Sir Humphrey. The name of another connects the present scheme with earlier and later efforts in the same direction. Sir Ferdinando Gorges[4] figures constantly in the early years of New England history, and forms a curious link between the Puritan settlers and the more romantic efforts of the sixteenth century. Gorges seems to have begun his career as a follower of Essex. Any claim which that might have given him to the goodwill of the Puritans was forfeited when he forsook

1 *Virginia*, etc., p. 105.

2 The charter with the names of the council is in Stith, Appendix I.

3 This is stated in Lloyd's *State Worthies*, a book of no special historical authority, published in 1766. It is in a measure confirmed by D'Ewes, *Journal of Parliament*, fol. 542.

4 Our knowledge of Gorges is almost entirely derived from the State Papers.

his patron in the hour of downfall. Henceforth Gorges' attitude to the New England settlers was for the most part one of jealous rivalry. We have no contemporary biography of Gorges, but the frequent references to him in the State Papers enable us to construct a not inadequate sketch of his career. The earliest recorded event is his imprisonment in the Low Countries, where, like more than one of the pioneers of American colonization, he had served against Spain. In 1596, eight years later, we find him appointed to a post of responsibility, the command of the newly fortified seaport of Plymouth, while at the same time he kept his commission in the English contingent in the Netherlands. What is recorded of his conduct at Plymouth is of a piece with the temper and character which he afterwards showed in colonial affairs. He soon contrived to embroil himself with the civil authorities on a question of billeting. At the same time his dispatches, when there was a possibility of real danger, were vigorous and practical. He was thought worthy to be chosen among those who served as a council of war before the Cadiz expedition, and we find his commander explaining in a dispatch that he had left Gorges at Plymouth, finding him "the only stay of the country."

From this time Gorges seems to have taken his place among the chief followers and advisers of Essex. The prosperity of Gorges survived the downfall of his patron, but only at the cost of his good name. He, according to popular belief, was one of those who urged Essex to the most unscrupulous of his misdeeds, the seizure of the Lord Keeper and the Chief Justice. Having involved his patron in an unpardonable crime, Gorges, with almost incredible baseness, secured his own retreat by giving, on the pretended authority of Essex, an order for the release of the prisoners. His treachery carried not only pardon but a speedy renewal of royal favor. In the first year of the new reign he was restored to his governorship of Plymouth, and for the rest of his career we find him figuring as a strenuous competitor in the servile race for court patronage.

Gorges' brief and discreditable connection with Essex was probably not without its influence on the history of New England. Even if there had been no question of material interests, the betrayer of Essex would necessarily have been an object of suspicion and hatred to the Puritans. It is no doubt due, at least in part, to this cause that, while Gorges plays a prominent part in the colonization of New England, we have but little

direct evidence as to his character. The Puritan chroniclers furnish us with ample, if at times indiscriminating, accounts of their own heroes; but in dealing with the great enemy of New England Puritanism they content themselves with vague denunciations and disparagement. Thus our knowledge of Gorges is mainly derived from the references in public documents and from his own writings, in which a style originally careless and void of literary skill has in all likelihood been made yet more confused by the errors of editors and printers. Yet even in its present state Gorges' work gives us a clear and definite impression of the writer, as a man of resolute purpose and clear but narrow views, whose zeal for the public good was often blended with personal cupidity and ambition, but not wholly overlaid by them.

Gorges' position at Plymouth must have brought him into close contact with those who were interested in American discovery, probably with many who had actually taken part in it. His own thoughts seem to have been first turned that way when Weymouth, on his return in the summer of 1605, brought with him five natives, three of whom Gorges summarily seized.[1] By good fortune, they were of the same tribe, but of different villages. Thus, while they could readily communicate with one another, they were also able after a while to give Gorges a comprehensive description of their country. Their feeling towards their captors seems to have been, on the whole, friendly, and for the next fifteen years they served to keep open communication between the natives and successive English voyagers and explorers.

The Plymouth, or North Virginia, Company was formally incorporated in April, 1606, and in the same summer two voyages were made. The first of these was a complete failure, resulting in the loss of the vessel or vessels engaged and the capture of the crews, among them Gorges' two natives.[2]

Voyages in 1606.

Another vessel sent out by Popham in the same year fared better. Pring, who was in command, was already in some degree acquainted with the coast, and now made a complete survey of it.[3] His report decided the council of the company to undertake a colony. In June, 1607, a hundred and twenty settlers were sent out in two vessels, one commanded by Raleigh Gilbert, the other by George Popham, a brother of the Chief Justice. Popham was also appointed to the presidency of the colony. He

1 Gorges' *Description*, p. 50.

2 For this voyage see Appendix A

3 Gorges, p. 53.

was, as it would seem, hardly young or vigorous enough for such a task, though otherwise well fitted for his post.[1]

The whole history of the colony is a curious comment on the seemingly small chances whereby the fate of young communities is determined. In every respect the composition of the colony seemed far better than that of the party which in the previous year had been sent to Virginia. Setting aside Popham's advanced age, the leaders seem to have been all well fitted for their posts. We read of no disputes nor mistakes; perfect harmony and perfect obedience seem to have prevailed. In their dealings with the natives the English were both just and prudent, erring neither by severity nor over-confidence. It is clear that the settlers were industrious, since before the winter fifty houses, an intrenched fort, a church, and a storehouse had been finished, and a pinnace of thirty tons built. As the colonists did not reach America till August it was too late to till the soil, and they had to depend for food on their trade with the natives and on the supplies sent from England. Accordingly, all the time that could be spared from building and fortifying their habitations was spent in exploring the coast and its inlets.

The attempted colony at Sagadahoc.[2]

But despite the good order of the colonists and the prudence shown by the leaders, the settlement was overthrown by a series of untoward mishaps. Misfortune began with a winter of exceptional severity. The Thames was frozen over so hard that a fair was held and boats built upon it. In New England the weather was such that nothing could be done in the way of exploration or trade. Despite the cold, however, there was little sickness among the settlers, and only Popham died, as much perhaps from the infirmity of age as from the climate. A worse blow to the colony was the loss of its principal supporter, the Chief Justice. Moreover, the same ship which brought tidings of his death also announced that of Sir John Gilbert. His brother Raleigh inherited the family estate. His uncle's spirit was not strong enough in him to make him reject the life of an English squire for that of an American colonist. His desertion, the loss of the two Pophams, the destruction of the fort by fire, and above all, the severity of the winter, so completely disheartened the settlers that with one accord they at once

Failure of the colony.

1 Gorges, p. 55, says that Popham "was well stricken in years before he went, and had long been an infirm man."

2 A full diary of the proceedings of the colonists is given by Strachey, pp. 163–180.

resolved to forsake their new home. For seven years no attempt was made to revive the settlement or to form a fresh one. The Plymouth Company confined its efforts to voyages for trade and exploration, and left the task of colonization to their more vigorous and fortunate rivals in London.

Nevertheless Sir Francis Popham, the son of the Chief Justice, made some faint attempts to follow up his father's schemes,[1] while Gorges seems never to have abandoned his hopes of colonization. Before long they were joined by an ally better fitted probably than any other man who could have been found in that day to enlist influential support and to attract popular interest towards their designs. In 1609 Captain John Smith left Virginia, never to revisit it. His services in the cause of colonization were no longer rendered to that settlement with which tradition has justly associated his name, but were devoted to exploring the northern coast and advocating the advantages to be obtained from it by plantation and fisheries. His first voyage thither was made in 1614, on behalf of four London merchants with whom he was himself connected as a partner. The insufficiency of his charts withheld Smith from making a thorough survey of the country, and he had to content himself with a cargo of fish and furs worth nearly fifteen hundred pounds.[2] The voyage had one memorable result. Hitherto the land north of Cape Cod had been commonly known to Englishmen as North Virginia. That name Smith now changed to the more distinctive title of New England.[3] The fidelity with which the Puritan colonies reproduced many of the best phases of English thought and political life gave a significance to the name beyond what was dreamt of by the author. Another incident of the voyage deserves notice, as having had its effect on the future relations between the English and the Indians. During Smith's temporary absence Hunt, the master of one of the vessels, deceitfully captured thirty of the natives with the intention of selling them in some Spanish port.[4]

John Smith explores New England.

1 *A Brief Relation*, p. 4.

2 *New England's Trials*, p. 240.

3 Smith's *General History*, p. 699. "I had taken a draught of the coast and called it New England." Again (*New England's Trials*, p. 243) he says, "This Virgin's sister called New England, An. 1616, at my humble suit by our most gracious King Charles" (Cf. p. 937). Elsewhere Smith says, "New England is that part of America in the ocean sea opposite to Nova Albion, in the South Sea, discovered by the most memorable Sir Francis Drake in his voyage about the world, in regard whereof this is styled New England, being in the same latitude" (*Description of New England*, p. 188). And again p. 192), "That part we call New England is betwixt the degrees of 41 and 45." It is not unlikely that Smith gave currency to an existing though not generally accepted name

4 *Brief Relation*, p. 6. Smith's *Description*, p. 219.

Hitherto all the dealings of English voyagers with the natives of New England seem to have been just and their relations friendly. This one act created distrust and a desire for revenge which made themselves felt at the expense of later explorers.

Meanwhile Gorges had succeeded in securing the help of Lord Southampton,[1] who had, like himself, been among the friends and followers of Essex. Aided by other subscribers, they furnished a ship and sent it out in June, 1614, under the command of a Captain Hobson.[2]

Voyage sent out by Gorges.

They appear to have set great store by the friendship and promised help of an Indian named Epenow, who sailed with them. He had been found in London by Captain Harley, one of those who shared Popham's failure. Epenow can hardly have been among the Indians kidnapped by Hunt, though Gorges seems to have been of that opinion.[3] But be that as it may, the recent outrage had made the natives suspicious and resentful. They communicated with Epenow and helped him to escape. A fight ensued, and though the voyagers suffered no serious injury, they were unable to achieve any useful result, either by trade or discovery.

Next year Gorges renewed his attempt, aided by Smith. To whatever part of the world Smith betook himself, there romantic adventures seemed to await him, with captivity as one of their leading episodes. In 1615 he sailed from Plymouth with two ships fitted out by Gorges and other west country adventurers.[4] Soon after sailing, Smith's ship became unseaworthy, and was compelled to put back, leaving her consort, under the command of Captain Dermer, to complete the voyage. Smith's second attempt after refitting was even more disastrous. His crew were mutinous, and off the coast of New England he was seized by a French man-of-war, under the pretence that he was a pirate. He succeeded in allaying the suspicions of his captors, but before he could return to his own vessel

Smith's adventures in 1615.

1 Gorges, p. 59.

2 The voyage is described by Gorges, p. 60, and in the *Brief Relation*, p. 5, etc. Smith also mentions it.

3 Gorges says that he was one of twenty-nine who had been captured by a ship of London. This must refer to Hunt. On the other hand it seems impossible that one of Hunt's prisoners could have been brought to London, sold there, and returned to his own country, all in one summer. Smith and the authors of the *Brief Relation* both speak of Hunt's treachery as the cause of Epenow's hostility and of the failure of the voyage, but this does not require us to believe that Epenow was one of Hunt's captives.

4 This voyage is fully described in Smith's *Description*, pp. 221–227. His account is confirmed by the *Brief Description*, p. 7.

the crew had set sail for England, and Smith was left on board a foreign vessel without so much as his clothes. A captivity when Smith was himself the prisoner and the narrator was not likely to be wanting in romantic incidents. More than one English vessel communicated with the Frenchmen, and on one occasion an English officer came on board. Smith, however, was at these times strictly secluded, while in various encounters with Spanish vessels, the French brought him out "to manage their fights," though what precise form his service took does not appear. At length, off Rochelle, he contrived to get away in a small boat just in time to escape the shipwreck of the vessel.

With this untoward voyage Smith's career as an explorer seems to have ended. But though he no longer bore an active part in discovery or colonization, his services to New England were not over. In the year after his escape he published a pamphlet urging the expediency of settling that region, and followed it up six years later by another to the same purpose. He especially dwells on the value of the New England fishery, and points out how from that unpretending resource the Dutch had drawn more substantial gain than the Spaniards from their American mines. The style and substance of the two pamphlets are thoroughly characteristic of the writer. They are confused, egotistical, and at times petulant, yet the resolute energy and unselfish zeal of the writer break out everywhere. There is something of real eloquence in passages where he gives vent to his anger against the sloth and incredulity of his countrymen. "Who," he asks, "would live at home idly (or think himself any worth to live) only to eat, drink, and sleep, and so die? or by consuming that carelessly his friends got worthily? or by using that miserably that maintained virtue honestly? or for being descended nobly pine with the vain vaunt of great kindred in penury? or to maintain a silly share of bravery toyle out thy heart, soule, and time basely by shifts, tricks, cards, and dice? or by relating news of others' actions, shark here and there for a dinner or a supper? deceive thy friends by fair promises and dissimulation in borrowing where thou never intended to pay; offend the laws, surfeit with excess, burden thy country, abuse thyself, despair in want and then cozen thy kindred, yea, even thine own brother, and wish thy parents' death (I will not say damnation) to have their estates; though thou seest what

Smith's pamphlets on behalf of New England.[1]

[1] See the first note to this chapter.

honors and rewards the world yet hath for them that will seek them and worthily deserve them?" There is a true and unexpected touch of picturesqueness in his description of the fisherman "crossing the sweet ayre from isle to isle over the silent streams of a calm sea, wherein the most curious may find pleasure, profit, and content." Nor is he more than just to himself when he claims that Virginia and New England have "been my wife, my hawks, my hounds, my cards, my dice, and, in total, my best content." With that passage, characteristic alike in its egotism and its vigorous simplicity, we may fitly take leave of the heroic figure, heroic despite many failings, to whom America owes so much.

Revival of the Plymouth Company.

For the next four years nothing was done towards advancing the colonization of New England. Gorges continued to send out voyages for exploration.[1] It is clear, too, that the New England fisheries were growing in importance, since the disorder and misconduct of the fishermen and the necessity for some authority over them were among the pleas urged for re-establishing the Plymouth Company with a new charter.

New patent for New England.

That proposal was made by Gorges and some of his associates about the year 1618.[2] The Virginia Company had now a constitution differing from that given to it by the original patent. The two most important changes were the abrogation of double government by a resident and a non-resident council, and the substitution of an exact for an undefined boundary. The former change seemed equally applicable to the Plymouth Company, while the alteration of boundary in the case of Virginia made a similar limitation in the case of the northern colony needful as a precaution against confusion and disputes. Gorges' scheme met with a certain amount of opposition from the Virginia Company.[3] Their hostility, however, was ineffectual, and in November, 1620, a fresh patent was granted.[4]

The document is an important one, for though little was done towards colonizing New England by the actual patentees, yet territorial rights conveyed to them by this charter were recognized by all settlers during the next fifteen years as the basis of their

1 Gorges, pp. 61, etc. 2 *Ib.*, p. 70. Cf. the *Brief Relation*, p. 13.

3 *Brief Relation*, p. 12.

4 The original document is among the State Papers, *Colonial Entry Book*, lix. 1–28. It has been reprinted in Hazard's Collection, and as an appendix to Trumbull's *History of Connecticut*, vol. i., App. xxvi.

claims. The territory granted by the charter was that lying between forty and forty-eight degrees of latitude. The preamble stated with somewhat startling exaggeration that this district had been lately depopulated by a pestilence, and might therefore be regarded as unoccupied soil.[1] The name of New England was formally confirmed. The basis of the new association was far narrower than that of the Virginia Company. There the whole body of shareholders was constituted a corporation with certain legal rights, and controlled by a council which, though originally appointed by the Crown, tended to become purely representative. Here, however, the corporation and the council were identical, consisting of forty patentees.

Any rights which further shareholders or associates might enjoy would be derived, not from the original instrument, but from special contract with the patentees. The practical result was that the new Company became simply a channel through which the territorial rights of the Crown were transferred to certain persons, not to be used on any connected or organic scheme, but as the individual thought fit. The most conspicuous names among the members of the Company were those of the two court favorites, Buckingham and Lenox, the Earl of Pembroke, and Sir Ferdinando Gorges; while the presence of Southampton, Sir Thomas Roe, and Sir Nathaniel Rich marked a certain community of interest between the new corporation and the Virginia adventurers. The Company was to be established at Plymouth, and was to elect a president and to fill up vacancies in its own body. The most important privileges conferred on them were: 1. The right of legislating, subject to the necessary and usual condition that these laws were not contrary to those of the realm. 2. The monopoly of trade within the limits of the patent. 3. Freedom from all customs beyond four per cent. 4. The right to expel all intruders from the territory of the company by force of arms if necessary, and, as a needful condition, the right to exercise martial law within that territory. The council had also power to impose the oaths of allegiance and supremacy if they thought fit; but no conditions were imposed as to the religious belief or ecclesiastical discipline of those who were to inhabit their lands. All details as to the system of government to be adopted in the colony itself were left to the discretion of the patentees. In one respect the constitution of the Company was unsound from the outset.

[1] For the amount of truth contained in this statement see below, p. 53.

It started without capital. No fixed sum was either subscribed or guaranteed by the members, but it was left to them to make such contributions as they might think fit. It was afterwards decided that each member should invest a hundred pounds making up the meager capital of four thousand pounds in all.[1]

The patentees, indeed, contemplated forming a company after a kind. They circulated a proclamation in the seaports of the West of England, setting forth the nature of their monopoly and prohibiting all private trade.

They expected by this means, in their own words, "to induce every reasonable man in and about them (these towns), affecting the public good or a regular proceeding in the business of trade, to embrace a uniformity, and to join in a community or joint-stock together."[2]

A company which had no better assurance than this for its capital was little likely to carry out any schemes which involved much immediate outlay. As a natural consequence, the new corporation never attempted to rival the enterprise of the Virginia Company and contented itself with the position of a large landholder whose income is derived from letting or selling his territory.

Opposition in Parliament.[3]

The attempt to enforce their right of monopolizing trade at once brought down a storm of opposition upon the new corporation. Since Southampton was a patentee, one can hardly suppose that the Virginia Company continued actively hostile to its younger rival. But the battle against monopolies was then at its height, and the choice of Buckingham as the President of the Plymouth Company, and the presence of Mompesson, the great monopolist, among its members, could not fail to quicken the popular feelings against the corporation. During the session of 1621 a bill was brought in for preventing extortions and tithes on fishing. There is nothing to show that this was specially aimed at the New England Company, but it in some manner foreshadowed the great attack which followed. The bill apparently passed the Commons, but was thrown out by the Lords. Later in the session a more definite bill was brought in to give freer liberty of fishing on the coast of America, with

1 *Brief Relation*, p. 13. 2 *Ib.*

3 The fact of these bills having been brought in, with some details of the discussions which followed, is preserved in the journals of the House of Commons. Gorges' own appearance before Parliament is told by him in a rather confused manner (pp. 66–71). I do not feel quite certain whether his description refers to his appearance before the House in 1621 or to a second appearance three years later.

special mention of Virginia and New England. The chief object of the bill was to make public the right of fishing on the American coast, and also to allow those who exercised that right to land and get firewood. The bill was opposed by Guy, a Bristol merchant, who had under a patent settled a colony in Newfoundland. The discussion which followed has been preserved, and is of great interest. On the one side the enemies of the Company, prominent among whom was Sir Edward Coke, urged the impropriety of allowing a great natural resource like the sea-fisheries to be made a monopoly. On the other side it was shown clearly and forcibly that the choice lay between colonization or free fishing, and that the two were incompatible. As regarded the immediate question, there was justice in each view. On the one hand it seemed monstrous that an undertaking of great public importance should be hindered by a few lawless and disorderly men. On the other hand it was obviously undesirable that a national industry like fishing should be at the mercy of a small and irresponsible body. During the course of the debate a question of considerable constitutional interest was raised; the right, namely, of Parliament to legislate for a colony. It does not seem, however, that any definite opinion was expressed on this point or that any precedent was established.

In November a more direct attack was made on the New England patent. The committee for inquiring into and presenting grievances summoned Gorges, or, in his absence, his representatives, to appear before them. Here, unfortunately, the extant Parliamentary records fail us and we are left to the confused and necessarily one-sided report of Gorges himself. He pointed out the importance of his colonial schemes and the impossibility of effecting anything while the fishermen were allowed to exasperate the natives by fraudulent dealings or to sell them arms. In spite of Gorges' representations, the New England monopoly held a prominent place on the list of grievances presented to the King.[1] The patent, however, was saved by the adjournment of Parliament, and for the present Gorges and his associates were allowed to pursue their schemes unmolested. In the meantime the Company seemed in more danger from its own inherent weakness than from the attacks of its enemies. Hunt's outrage had borne fruit. Dermer, who had been Smith's colleague in the voyage of 1615, and whose skill and knowledge of the country were highly valued

[1] Gorges, p. 71.

by the Company, had been wounded in an affray with the savages, and soon after died in Virginia.[1] Another ship's captain whom the Company had sent out had fallen less creditably in a tavern brawl in the same colony.[2]

The new corporation failed to enlist any of that enthusiasm, whether in merchant, missionary, or soldier of fortune, which had seconded the efforts of the Virginia Company. Help, however, was at hand, though of a kind which men like Gorges distrusted and despised. At a later day, when events might have taught him otherwise, he wrote of New England that he did not "despair of means to make it appear that it would yield both profit and content to as many as aimed thereat, these being truly for the most part the motives that all men labor, howsoever otherwise adjoined (*sic*) with fair colors and goodly shadows."[3] In the same spirit Smith disclaimed the idea "that any other motive than wealth will ever erect there a commonwealth."[4]

The shallowness of such prophecies was soon to be made manifest. We must go back to those little congregations of English Independents among which the seminal principles of self-government had been gaining the powers needed for a great task. That new congregational system which has been already described seems to have been confined to the eastern and east-midland counties, and had taken especially firm root in the border districts of Lincolnshire and Nottinghamshire. Hitherto the colonizing energy of England had shown itself in the western counties. Henceforth, through the influence of Puritanism, they fell into the background. By a singular chance the name of the first Puritan settlement bears witness to the maritime importance of Devonshire, but there the connection of the West of England with the Northern colonies ended. The distinctive peculiarities of the New Englander are directly inherited from East Anglia, from a land, that is, where successive migrations of German and Scandinavian conquerers had wiped out all trace of the earlier Celtic occupant. In this the settlement of New England did but follow that law by which in almost every important movement the eastern half of this island has asserted its lasting supremacy.

The Independent congregations of Eastern England.

During the reign of Elizabeth the distressed nonconformist had

1 Gorges, p. 63.
2 *Ib.* p. 62.
3 *Ib.* p. 57.
4 Smith's *Description*, p. 212.

bethought him of the land beyond the Atlantic as a refuge. A petition is yet extant in which a congregation of Independents, "falsely called Brownists," asks leave from the Queen to remove to "a foreign and far country which lieth to the west, and there remaining to be accounted her Majesty's faithful and loving subjects." Their courage and loyalty were in advance of their geographical knowledge, since they mention as one of the advantages of the scheme that they may "settle in Canada and a reatly annoy the bloody and persecuting Spaniard in the Bay of Mexico."[1] It is possible that an order of the Privy Council, issued in 1597, may have referred to some of these petitioners. The order is an answer to the petition of certain ship-masters who were about to send two vessels to Newfoundland, one to winter in the country. They have asked leave to transport "divers artificers and persons that are noted to be sectaries, whose minds are continually in an ecclesiastical ferment." Leave was given to take four of these persons. They were to bind themselves not to serve the King's enemies, and not to return to the realm till they should reform themselves, and live in obedience to the ecclesiastical laws. That they contemplated something of a permanent settlement is shown by the entry that they were to take "household stuff and implements."[2] The voyage made in the Chancewell and the Hopewell is fully recorded in Hakluyt's Collection.[3] The vessels separated. The Chancewell fell in with pirates, and fared so ill at their hands that the scheme of settlement was abandoned. Though nothing came of this scheme for Puritan colonization, it is not unlikely that the project lived on in the minds of some of its proposers, and had its share in bringing about the efforts of the next century.

Proposed Puritan emigration about 1590.

The persecuted Puritan had for the present to content himself with less ambitious schemes of emigration. If his prospects seemed for a moment to brighten with the accession of a king trained in Presbyterianism, the result of the Hampton Court Conference at once dispelled the illusion. James had once publicly fought the battle of Calvin against Arminius; but he had no sympathy with those theories

Dealings of James I. and Bancroft with the Puritans.

1 This petition is among the State Papers (*Calendar of Domestic State Papers*, 1591–4, p. 400). It is not dated.

2 I owe my knowledge of this entry in the Privy Council Journal to Mr. Waddington (vol. ii. p. 114). He assumes, I think without evidence, that these four emigrants were among the above-mentioned petitioners.

3 Vol. iii. p. 242.

of Church government which were almost inseparably identified with the Calvinistic theology. "I will make them conform or I will harry them out of the land," was the unkingly speech which proclaimed the ecclesiastical policy of James.[1]

In Bancroft he had a fellow-worker imbued with equal bitterness, but gifted with far greater sagacity and strength of purpose. The existing enactments against nonconforming ministers and their congregations were at once put in force, and the Puritan whose principles led him as far as separation, had no choice left but imprisonment or exile.

The Puritan in his distress at once turned towards the Netherlands as a refuge. Everything in the history of the last eighty years tended to make Holland the home of religious freedom. Nowhere could the Protestant find such sufferings to evoke his sympathy or such heroic associations to kindle his pride. The fires of Smithfield and Oxford sink into insignificance when compared with the agonies amid which the free commonwealth of the Netherlands had its birth. The English Puritan had more than once borne his part in the defeats and victories of the Dutch arms. He had seen Dutch fugitives in his own land enjoying that liberty of worship and of Church government which was denied to himself. The freedom which the Dutch reformers won for themselves was used with wise and liberal comprehensiveness for the benefit of their distressed brethren. Holland became, in the language of a Presbyterian pamphleteer, "a cage for unclean birds,"[2] and a Puritan poet of the next generation described it in oddly worded praise as the "staple of sects and mint of schism."[3] As early as 1593 an Independent English congregation, which had come into existence in London, had taken refuge in Amsterdam.[4] Soon after the Hampton Court Conference two of the East Anglian churches, those of Gainsborough and Scrooby, likewise sought shelter in the Netherlands. That of Gainsborough, in all probability the more numerous and wealthy body, was the first to emigrate, and, following the example of the London church, it settled at Amsterdam.

Holland becomes a refuge for Nonconformists.

1 The original authority for this speech seems to be a pamphlet entitled *Sum of the Conference at Hampton Court*, by Dr. William Barlow, then dean of Chester and afterwards bishop of London. The original edition appeared in 1604. It was republished in the first volume of the *Phœnix*, a collection of ecclesiastical pamphlets, in 1707. The King's speech is recorded at p. 170.

2 Baylie's *Dissuasive from the Errors of the Times*, 1645, p. 9.

3 Marvell's Works, ed. 1776, vol. iii. p. 290.

4 Waddington, vol. ii. p. 104.

The fugitives were unfortunate in their leader. Their pastor, John Smith, possessed to the full that factious and impracticable temper so common among his sect. The Netherlands were a hotbed of theological disputes. The new-comers were at once drawn into the conflict, and disappear from history, leaving only vague traces of discord and failure.[1]

The Scrooby church.

Of the character and position of those who composed the two emigrant churches we know less than could be wished. Fortunately, however, the leading members of the Scrooby church have been vividly commemorated for posterity by the loving testimony of their friends and followers, a testimony which is amply confirmed by the silence, or even the grudging commendation, of enemies. Plainly, they were men strong in the peculiar virtues of Puritanism, yet comparatively free from its peculiar failings, men fitted not merely by their earnest zeal and faith in God, but by their tolerant wisdom and benignity of temper, to be the founders of a Christian commonwealth.

Richard Clifton, the minister under whose guidance the little flock set forth, only accompanied them as far as their first stage. Being, as it would seem, unfitted for work by age and infirmity, he joined himself to those who had already found a home in Amsterdam. He was succeeded in his office by John Robinson.

John Robinson.

To him probably, rather than to any other person, belongs the honor of having established that ecclesiastical and moral discipline of which New Plymouth was the embodiment. Our knowledge of him is derived from the testimony of his followers and from his own writings. With the latter in their theological aspect we are not concerned. At a later stage we shall have to deal with those writers on divinity who played so important a part in the intellectual history of New England. But there was no special connection between Robinson and the theological school of Massachusetts save the common basis of a Calvinistic creed. That feature in the writings of the former which concerns us is their moral tone and general attitude of thought, since these were among the chief influences which determined the character and temper of the Plymouth settlers. Robinson stands almost alone among Nonconformist writers of that day in his dignified sobriety of language, his entire freedom from malice or self-righteousness, his manifest indiffer-

[1] For Smith and his congregation see Bradford, pp. 6–12.

ence to mere controversial victory. That man rose far above his sect, far, indeed, above his age, who could bid his disciples in their hour of parting "follow him no further than he followed Christ," and warn them by showing how each successive sect among the reformers, Lutherans and Calvinists alike, had rested content with that portion of spiritual truth revealed to its founder. The impression which Robinson's writings leave is fully confirmed by his friend and follower Bradford. There is a reality and a definiteness about his testimony which clearly mark it off from the somewhat unctuous and conventional eulogies of Puritan biographers. Bradford bears witness to Robinson's practical sense which helped his flock to surmount the daily trials and difficulties of exile, and to that gentleness and toleration which could only be roused to severity by the sight of hypocrisy or by selfish indifference to the public good.[1] From another of his disciples, Edward Winslow, we learn that Robinson's attitude towards those from whom he differed became more tolerant and comprehensive with advancing years, and this statement is confirmed[2] by a less friendly writer. Higher praise could hardly be given to one who was the moral and political guide and the spiritual oracle of a little community. Plymouth, in its early years, stood out among the Puritan colonies conspicuous for the brotherly love and helpfulness of its citizens, for the scrupulous morality which marked their dealings, whether with Englishman or Indian, and still more for the absence of those theological disputes which form so mournful and discreditable a chapter in the history of Massachusetts. We cannot err in ascribing a large share of this to the influence of Robinson.

William Brewster.[3]

Robinson had a worthy colleague in the ruling elder of his church, William Brewster. Both of them at the time of the migration to Holland were men in the prime of life. In education, social position, and political experience, Brewster was a man of higher stamp than his fellow-emigrants. He had been at Cambridge, and had afterwards become secretary to William Davidson. The knowledge of the politics and of the social and economical life of the Netherlands which Brewster

1 Bradford, p. 13,

2 Winslow in Young, p. 387. Baylie, p. 17. Cotton bears testimony to the same effect in one of his controversies with Roger Williams (Narragansett Historical Society's Publications, vol. ii. p. 210).

3 Bradford in his chronicle for the year of Brewster's death, 1643, gives a very full sketch of his life and character, p. 253.

acquired during his master's embassy there must have been of the greatest value to his brethren. The downfall of Davidson must have deeply impressed the mind of his follower with the lesson, "Put not your trust in princes." Brewster, however, did not share the ruin of his master. He obtained the appointment of postmaster at Austerfield, near Scrooby, a position of some importance in those days, since over and above the despatch of letters it involved the duty of furthering travelers, and at times of supplying them with food and lodgings. This office Brewster held from 1594 or earlier to 1607.[1] During that time he occupied a manor house belonging to the Archbishop of York. Here his position enabled him to use his house as a center for religious meetings, and to be a liberal benefactor to Puritan ministers outside his own congregation. Brewster does not seem ever to have published any writings, and we cannot, therefore, as in the case of Robinson, judge of him by his own testimony. All that we do know of him confirms what we learn from Bradford, that in sound judgment, meekness of temper, and sense of public duty, though not in theological learning, he was a worthy yokefellow for Robinson.

The third figure, that of William Bradford, is perhaps the most interesting of all to the student of New England history. A lad of seventeen at the time of the flight from Scrooby to Holland,[2] Bradford was just entering on public life when New Plymouth became a settled community. In the second year of the colony's existence he was chosen governor, and out of the remaining thirty-four years of his life there were only five during which he did not hold that office. His character as a public man may be best left to unfold itself in the history of the commonwealth in which he played such a conspicuous part. For the present he comes before us in his other character of a historian. To him is due almost all that we know of the Plymouth settlers from the day when they left Lincolnshire till they became a firmly rooted and prosperous commonwealth in America.

William Bradford.

Gratitude is quickened when we compare the simple, vigorous, and picturesque chronicle set before us by Bradford with the tedious and pedantic writings from which so much of the later history of New England has to be extracted. There is nothing to show that Bradford was a widely-read man, nor is there in his

1 Hunter, p. 66.

2 Hunter (p. 198) refers to the parish register of Austerfield. William Bradford's birth is there entered under March 19, 1589.

writings any striving after literary effect. Yet his work is in the true sense scholarly. The language is like the language of Bunyan, that of a man who trained himself not merely to speak but to think in the words of Scripture. Every expression is simple and effective, never far-fetched, never mean nor common. The substance is worthy of the style. Faults no doubt there are. At times there is a disappointing lack of detail and precision. Occasionally we feel that in the aims and hopes which Bradford assigns to himself and his fellow-workers at the outset of their enterprise, he is unconsciously winning the easy success of a retrospective prophecy. Yet with these and it may be other defects, Bradford's writings still remain the worthy first-fruits of Puritan literature in its new home. They are the work of a wise and good man who tells with a right understanding the great things that he and his brethren have done.[1]

Attempted flight in 1607.[2]

In 1607 the congregation at Scrooby made its first attempt to escape into Holland. They had actually found a ship and embarked at Boston, when through the treachery of the master they were arrested and imprisoned. According to Bradford's own admission they were for the most part treated leniently, but the scheme of departure was for the present overthrown.

The attempt was renewed in the following year. An entry in the Exchequer returns of ecclesiastical fines throws some light on the proceedings which led to this flight. We find that in 1608 three alleged "Brownists or Separatists" were summoned before two Ecclesiastical Commissioners at Southwell, and fined twenty pounds each for refusing to attend.[3] One of the offenders was Brewster, and we can hardly doubt that the attack upon him was accompanied by proceedings against his friends and fellow-worshippers. It is also to be noticed that he had ceased to hold the office of postmaster in the preceding autumn.[4]

Flight to Holland.[5]

In 1608 the actual flight to Holland was made. The emigrants, doubtless out of caution and because they were too many for one ship to carry, decided to go in detachments. The fate of the first party seemed to bode ill for the

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1 It is evident from more than one passage in which Bradford refers to subsequent events that his history was not written from year to year in the form of a diary or chronicle. See, for example, p. 180.

2 Bradford, p. 8.

3 Hunter, p. 131.

4 *Ib.* p. 68.

5 The flight of the Pilgrims to Holland and their stay there is told in the second and third chapters of Bradford

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project. During the midst of their embarkation, when many of the men were on board, but while the women and all the clothes and furniture were yet on land, an alarm was raised that the officers of the law were coming with a great company to seize the fugitives. The master, through cowardice or indifference, weighed anchor, and the little band was thus miserably parted; the women deserted and unprotected, the men on board without any goods save the clothes they wore and ignorant of what might befall those whom they had left. To the sufferings which the fugitives had already undergone were added the perils of the sea. A fearful storm arose; the ship was driven to the coast of Norway, and only reached Amsterdam after fourteen days of terror, during half of which time neither sun, moon, nor stars could be seen. The wives and children who had been left behind, after being "hurried from one place to another and from one justice to another and thus turmoiled a good while," were at last set free through the very weariness of their persecutors, and, probably with other members of the Scrooby congregation, joined the first fugitives in Holland.

The Puritans in Holland.

The sojourn of the exiles in the Low Countries is described by Bradford with singular pathos and simplicity. He tells how they saw many goodly and fortified cities strongly walled and guarded with troops of armed men; how they "heard a strange language and beheld the different manners and customs of the people with their strange fashions and attires, all so far differing from that of their plain country villages wherein they were bred and had so long lived, as it seemed they had come into a new world." After staying a year in Amsterdam they removed to Leyden, "a fair and beautiful city and of a sweet situation," and there "fell to such trades and employments as they best could, valuing peace and spiritual comfort above all riches whatsoever. And at length they came to raise a competent and comfortable living, but with hard and continual labor." Thus they "continued for many years in a comfortable condition, enjoying much sweet and delightful society and spiritual comfort together." The little colony formed a refuge for Nonconformists from various parts of England, till it became a great congregation. The honesty and industry of the exiles gained them employment, and so peaceful was their life that the magistrates held them up as an example to the turbulent Walloons.

One would gladly know something more of their ecclesiastical discipline and of the process by which their capacity for self-government was trained and perfected. We can easily see in how many ways the change of life must have tended to beget that spirit of enterprise and invention needful for the success of colonists. The man who had learnt to speak a strange tongue, to make his bargains in a strange currency, and to adapt his life and mode of work to the habits of a foreign country, was far better fitted for the career of an emigrant than one who had been confined to the common tasks of a farm laborer, a small yeoman, or a handicraftsman in a country village. Moreover the emigration to Holland must have acted as a process of selection, by which the most venturesome and those endowed with the most steadfast faith in their peculiar doctrines were chosen out as the seed of a new commonwealth. The men who in the cause of religion forsook their English homes for an unknown land, and who were again willing to abandon their new-won peace and prosperity for the terrors of the wilderness, were like the twice-chosen band of Gideon.

In other ways their stay in Holland must have served to confirm and intensify those peculiar features of character which had come into existence in England and were further developed in America. Holland was then torn in pieces with theological conflict. As in the Eastern Empire during the great controversies of early Christendom, the whole community was marshaled in two dogmatic sects. The English Puritans could not fail to be drawn into the struggle. Indeed we know that Robinson, though unwilling to take up arms, did actually play a distinguished part as a combatant.[1] Thus the tendency of the English Puritan to look at all questions, moral, metaphysical, and even political, from a theological point of view, was confirmed and increased. Moreover, the life of a small isolated community was fitted to beget the self-reliance and the strong sense of mutual dependence needed by colonists, and so fully manifested in the Puritan settlements of New England.

Before they had dwelt many years in their new home the project of a fresh emigration presented itself to the Puritan exiles. Holland gave them a refuge where they could enjoy religious freedom and subsist by hard toil, but it offered nothing more. Many of the usages which they saw about them,

Project for emigration.

1 Bradford, p. 15.

especially the lack of Sabbath observance, were repugnant to their religious feelings. They found difficulties in giving their children suitable training, and the future of their posterity seemed far from hopeful. They must either submit to a life of unremitting toil and hardship, or else become soldiers or sailors, or betake themselves to some other secular calling, whereby they would be swallowed up in the mass of the population. Some, too, retained love enough for their country to wish to recover their position as English citizens, if they might do so without forfeiting their freedom of worship.[1]

Bradford, we may well believe, expressed the views of himself and his more ardent and far-sighted brethren, though scarcely those of the whole community, when he says that "they had a great hope and inward zeal of laying some good foundation, or at least to make some way thereunto, for the propagation and advancing the gospel of the kingdom of Christ in those remote parts of the world."[2]

Relations with the Virginia Company.

There were other circumstances which may have specially inclined the Leyden congregation towards the idea of American colonization. Despite the influence of Ferrars the views of the more moderate Puritans were strongly represented in the Virginia Company. Sandys was both by personal and hereditary sympathy connected with that party. Loyalty to the existing order of things did not necessarily imply a belief in Episcopacy as an ideal form of ecclesiastical government under all circumstances, and Churchmen who had no sympathy with the congregational system in England might consistently befriend Nonconformists in their attempts to establish themselves in a new country. Sandys' father had been, as Archbishop of York, moderate and tolerant in his dealings with Dissenters. An elder brother now held the manor of Scrooby,[3] and Sandys must have thus been personally acquainted with Brewster and other leading men in the Leyden church. The connection, if it did not help to suggest the scheme of colonization, at least showed the easiest and most direct way of carrying it out.

Doubts about the site for a colony.

Virginia was not the only country, probably not even the first, which the Puritans thought of for their new home. Some of them proposed to emigrate to Guiana, urging the fertility of the country "where vigorous nature brought forth all things in abundance and plenty." We read that the

1 Winslow in Young, p. 381. 2 Bradford, p. 16. 3 Hunter, p. 22.

advocates of this scheme were "none of the meanest,"[1] and it is not unlikely that a land where slave labor could be employed, and where capital could be invested in large plantations, had attractions for the richer members of the community. Others dwelt on the unhealthiness of Guiana and the neighborhood of the Spaniards. We may well believe, too, that a sounder judgment of the conditions needful for natural prosperity led them to prefer a country whose soil and climate would in some measure enable Englishmen to follow their accustomed industry and mode of life. The latter opinion prevailed, and negotiations were opened with the Virginia Company.

To this end two influential members of the church, Robert Cushman and John Carver, were sent over to England.[2] It is clear that the Leyden church anticipated opposition to their scheme, if not from the Virginia Company, at least from the King and the High Church party. To meet this they drew up seven Articles, setting forth their attitude towards the civil power. These are of great interest, as showing how large a share of the wisdom of the serpent pertained to the founders of New Plymouth. The articles can be better understood by a simple reproduction than by any explanation or analysis.[3] They were as follows: —

The seven Leyden Articles.

1. To the confession of faith published in the name of the Church of England, and to every article thereof, we do with the reformed churches where we live, and also elsewhere, assent wholly.

2. As we do acknowledge the doctrine of faith there taught, so do we the fruits and effects of the same doctrine to the begetting of saving faith in thousands in the land (conformists and reformists as they are called), with whom also, as with our brethren, we do desire to keep spiritual communion in peace, and will practise in our parts all lawful things.

3. The King's Majesty we acknowledge for supreme governor in his dominion in all causes and over all persons, and that none may decline or appeal from his authority or judgment in any cause whatsoever, but that in all things obedience is due unto him, either active, if the thing commanded be not against God's Word, or passive, if it be, except pardon can be obtained.

4. We judge it lawful for his Majesty to appoint bishops, civil

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1 Bradford, p. 18.

2 They are named in a letter from Sandys to Robinson and Brewster, Nov. 12, 1617. The letter is given by Bradford, p. 20.

3 These Articles are among the Colonial Papers, 1618.

overseers, or officers in authority under him, in the several provinces, dioceses, congregations or parishes, to oversee the churches and govern them civilly according to the laws of the land, unto whom they are in all things to give account, and by them to be ordered according to godliness.

5. The authority of the present bishops in the land we do acknowledge, so far forth as the same is indeed derived from his Majesty unto them and as they proceed in his name, whom we will also therein honor in all things and him in them.

6. We believe that no synod, class, convocation, or assembly of ecclesiastical officers has any power or authority at all, but as the same by the magistrate given unto them.

7. Lastly, we desire to give unto all superiors due honor, to preserve the unity of the Spirit with all that fear God, to have peace with all men what in us lieth, and wherein we are to be instructed by any.

The Articles are signed by Robinson and Brewster. This was in all likelihood done merely in their official capacity as pastor and elder, nor is there any record as to the authorship of the document. Yet its character is so plainly written on the surface, and is in so many ways at variance with the special peculiarities of Puritanism, that we can hardly err in ascribing it to the conciliatory temper and undogmatic mind of Robinson.

The Articles were manifestly framed to assure the Virginia Company that its new clients would not entangle it in any conflict with the civil power. On the surface they look like an unconditional acceptance of what by anticipation one may call Erastianism. They seem to contain a definite acknowledgment that all ecclesiastical authority must proceed from the civil power and be responsible to it. A careful inspection, however, shows that the more important concessions are qualified by distinct, though cautiously expressed, reservations. In the first article the acceptance of the confession of faith published by the Church of England is limited by the introduction of the reformed churches of Holland as partners in that acceptance. So the promise of obedience to the King's authority is modified by the condition that the thing commanded be not against God's Word, a condition which might easily be so interpreted as to nullify the general admission. Yet even if we presume the most favorable interpretation of these Articles, the fourth contained an admission of the right of the State to control religion, which seems strangely at variance with the recognized doctrines of the Nonconformist. In truth, we must

look on these seven Articles not so much as an exposition of faith but rather as conditions of agreement. The followers of Robinson might feel that, though kings' hands are long, they could hardly reach an insignificant settlement across the Atlantic, and that when in America they might with safety assent to doctrines which it would have been not merely inconsistent but perilous to admit under the immediate authority of the King and the bishops.

These concessions on the part of the would-be emigrants were met by the King in a like spirit of compromise. There was, in truth, nothing in his attitude towards religious questions to make him hostile to the schemes of the Leyden Puritans. The saying, "No bishop, no king," expressed fairly enough the grounds of his ecclesiastical sympathies and antipathies. For James, unlike his son, the artistic and reverential associations of the English Church had no charm. Puritanism offended him on its political rather than its religious side, by its merits rather than its failings. His ideal of policy was despotism interpreted and administered by a doctrinaire, as the ideal of Elizabeth had been despotism wielded by a far-sighted, ambitious, and unscrupulous diplomatist. The institutions of the Puritan hindered the administrative details of such a system; the spirit of Puritanism made the system itself unpopular, and even impracticable. But from this point of view Nonconformity in America was widely different from Nonconformity in Lincolnshire. To a churchman of the school of Bancroft, dissent was schism, and as such was an evil to be resisted and extirpated everywhere. But by the death of that primate and the appointment of Abbott in his stead this view had lost the support of the chief ecclesiastical authority. The King's resolution to "harry them out of the land" was not so much a declaration of war against Nonconformity for its own sake as the determination of a schoolmaster to get rid of a boy whose presence is fatal to good discipline. The friendship of Sandys for the Leyden Puritans secured them a valuable advocate at Court in one of the Secretaries of State, Sir Robert Naunton. The King took the trouble to inquire into their schemes, and when told that their main support was to be derived from fishing, declared with approval that it was the Apostles' own calling. He then suggested to Naunton that the emigrants should confer with the Archbishop of Canterbury and the Bishop of London. The Puritans however, feeling perhaps that the scriptural precedent quoted by the King did not

Attitude of the King towards the emigrants.

cover the whole question, avoided further inquiry and remained content with the royal approval.[1]

But though the King might connive at the scheme of Nonconformist emigration, he was not prepared openly and avowedly to acknowledge it. In answer to the petition for a charter the Puritans were told that they should not be molested so long as they behaved peaceably. At first the emigrants were discouraged. The wiser and more influential of them, however, judged that such tacit approval would be a guarantee against mischief. They shrewdly argued, too, that mere paper securities would be valueless, since, as they expressed it, "if afterwards there should be a purpose or desire to wrong them, though they had a seal as broad as the house-floor it would not serve the turn, for there would be means enough found to recall or reverse it."[2] The fate of the Virginia Company was the best comment on that speech.

Difficulties with the Virginia Company.

The possibility of the King's displeasure was not the only obstacle which stood in the way of emigration. It was necessary that the Virginia Company should assent to a scheme widely at variance with the principles which it had hitherto adopted. The policy of the Company throughout had been to keep all the plantations as an organized community under one government. Not only their political but also their commercial system presupposed such unity. The presence of a single independent settler, claiming to be outside the jurisdiction of the Company, had been a cause of inconvenience.[3] It might prove a most perilous experiment to suffer in the midst of the colony the existence of a detached settlement, in religious matters firmly attached to its own peculiar usages and principles, and so extending the sphere of religion that few secular questions lay wholly beyond its province.

Blackwell and the Amsterdam emigrants.[4]

There were further reasons which might disincline the Virginia Company from accepting the proposals of the Leyden Nonconformists. A somewhat similar experiment had been lately made, and the result was not such as to encourage a second trial. Early in 1619, one Blackwell, an elder in the church of Amsterdam, had made arrangements with the Virginia Company for the emigration of a number of his

1 Winslow, p. 383. 2 Bradford, p. 19. 3 *Virginia*, etc., p. 172.

4 For Blackwell's proceedings see Bradford, pp. 24–5. The miseries of the emigrants whom he sent out are described in a letter from Cushman to his friends in Holland, quoted by Bradford.

brethren. Though the details of this affair are somewhat obscure, yet it is clear that the result was disastrous to all concerned and discreditable to the promoter. Before the voyage Blackwell and others were gathered together at a private meeting in London, seemingly for purposes of devotion. There they were apprehended and brought before an ecclesiastical tribunal. Blackwell contrived not only to exculpate himself by making a scapegoat of one of his associates, but even to obtain from the Archbishop an expression of good-will and a solemn blessing on the projected voyage. The rest of Blackwell's conduct seems to have been equally unworthy and less fortunate to himself. The unhappy emigrants, a hundred and eighty in number, found that a single vessel had been provided for them, in which they were to be "packed together like herrings." The streets of Gravesend, we are told, "rang of their extreme quarreling," each man blaming his neighbor for the strait into which he was brought. In addition to the lack of room the ship was ill supplied with water. Contrary winds drove her into a more southerly course than was intended. Sickness set in, and a hundred and thirty of the passengers, including Blackwell himself, died. Such was the first attempt at a Puritan migration to America, an introductory episode of which we do not hear much from the historians of New England.

Further delay seems to have been caused by the divisions existing in the Virginia Company. On the side of the Puritans, too, there were hindrances to be overcome. To start a new colony required money, and the emigrants could contribute nothing beyond the labor of their hands. Accordingly, it was necessary to associate with themselves a certain number of capitalists. To this end negotiations were opened with some merchants and others. The scheme finally took the form of a partnership, in which the system adopted by the Virginia Company was imitated, and personal emigration was taken as an equivalent for pecuniary subscription. The terms arranged were as follows: All emigrants over sixteen years of age were entitled to a single share of ten pounds value; every emigrant who furnished his family with necessaries was entitled to a double share for each person so furnished, and every one who exported children between ten and sixteen years old to one share for every two children. Children below ten were to be entitled to fifty acres of unmanured land, but were to have no further

The Leyden emigrants form a company.

interest in the Company. All settlers, except those provided for under the conditions above mentioned, were to receive their necessaries out of the common stock. For seven years there was to be no individual property or trade, but the labor of the colony was to be organized according to the different capacities of the settlers. At the end of the seven years the Company was to be dissolved and the whole stock divided.[1]

Two reservations were inserted, one entitling the settlers to separate plots of land about their houses, and the other allowing them two days in the week for the cultivation of such holdings. The London partners, however, refused to grant these concessions, and the agents of the emigrants withdrew them rather than give up the scheme. For so doing they were blamed by those for whom they acted. Stringent as the conditions enforced seemed, yet it must be remembered what were the relations between the emigrants themselves and the partners who found the capital. The latter had no interest in the success of the undertaking but a financial one. There is nothing to show that as a whole they had any sympathy with the peculiar views and objects of the colonists. Those views might well seem to make the Leyden Puritans undesirable associates in a commercial scheme. The colony was specially exposed to the risk of a collision with the authority of the Crown, and it was certain that the settlers would care more for the fulfillment of their own political and ecclesiastical schemes than for the financial success of the Company.

There is no exact record extant of the number of the partners or of the proportions which the two sections of the Company bore to one another. From Smith we learn that the subscribers in England were about seventy, and the whole capital seven thousand pounds.[2] The actual number of emigrants was about a hundred and twenty.[3] It is most probable that the above-named sum included the shares of ten pounds granted to each emigrant. We may also assume that a certain number of these emigrants were furnished at the expense of their parents, husbands, or masters, who would therefore be entitled to a double share. Thus we arrive at the approximate conclusion that from a quarter to a fifth of the capital of the Company was invested in the actual settlers.

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1 The terms of the agreement are given by Bradford, pp. 28–9.

2 Smith's *General History*, p. 783.

3 See below, p. 47.

In the meantime an arrangement had been made with the Virginia Company, a result probably of the more businesslike character which the enterprise had now assumed. In the autumn of 1619 a patent was granted to the new corporation, giving the emigrants the right to settle on a portion of the territory of Virginia.[1]

Patent from the Virginia Company.

The patent was made out in the name of John Wincob, probably one of the London shareholders. He was in the service of the Countess of Lincoln, whose family at a later day played a conspicuous part in the settlement of New England. The patent itself is, unfortunately, no longer extant. It was deprived of all legal value by the events which led the settlers to establish themselves beyond the bounds of the Virginia Company. Yet in its bearings on New England history it would have had something more than a merely antiquarian interest. It would probably have shown how far the Puritan settlers intended to remain a distinct and separate body, and how far they consented to be merged in the commonwealth of Virginia; in other words, how far the foundation of Plymouth was the result of design or of chance.

Even now, when all hindrances seemed to have been surmounted, the emigrants found themselves beset by fresh difficulties. As we have already seen, in 1620 the Plymouth Company was revived. Its original promoters had intended it as an ally to the Virginia Company. In its new form it was rather a rival. Some of the London merchants who were now associated with the Leyden Puritans thought, not unwisely, that New England with its fisheries would be a better field for their enterprise than Virginia. It is not unlikely that they were influenced by the notorious divisions prevailing in the Virginia Company and the court favor extended to the new corporation. Accordingly they proposed to abandon the patent they had just obtained, and to get fresh powers from the Plymouth Company. This seems to have reopened the whole question of a site for the new colony. The emigrants and their partners were divided into factions, one for Virginia, one for New England, one for Guiana, each threatening to withhold subscriptions unless its own scheme was adopted.[2]

Proposed change of plans.

At this juncture a project was set on foot which, if carried out, would wholly have changed the destiny of Plymouth, and it may be of New England. The Leyden Puritans, despairing, in all

1 Bradford, p. 26.

2 *Ib.*, p. 28.

likelihood, of any successful settlement on English territory, authorized Robinson to negotiate with the Dutch West India Company. We may well believe that Bradford is but recording his own wishes and those of many of his associates, when he tells us that one motive in the choice of a site was the wish to remain English citizens. Yet it is clear that the arrangements proposed by Robinson would have effectually frustrated any such purpose. He undertook that his own congregation should be recruited from England till the whole body of emigrants was brought up to four hundred families.

Scheme for settling on Dutch territory.[1]

The Company seemingly were favorable to the project; but the scheme was too important to be undertaken without a special reference to the States-General. After some discussion that body refused to countenance the application, thinking, in all likelihood, that such a scheme might bring about a dispute with England. The projects for emigrating to Guiana and to New England also fell through, and the Pilgrims returned to their original purpose of settling in Virginia.

A further question had yet to be settled: should the whole body of emigrants go forth at once, or should a select party be sent in advance? If the latter scheme were adopted, how should the pioneers be chosen? After a solemn fast and public petition to God for guidance, it was agreed that those who wished to go should offer themselves, and that whichever party, whether that which stayed or that which went, was the greater, it should be placed under the guidance of Robinson, while the rest should be left to the care of Brewster. One motive for thus dividing the congregation was to keep a hold upon Holland as a refuge if the new venture should turn out ill. The division was nearly equal, but as those who decided to wait formed the larger body, Robinson stayed with them. The plan adopted gave rise to a report, more than once repeated by later writers, that the emigration was brought about by a secession or severance in the Leyden congregation. The clear and confirmatory statements of Bradford and Winslow wholly do away with any such view. The error involves something more than an injustice to the first Puritan colonists. It ignores one of the chief guiding principles, not merely in the establishment of

Choice of the first emigrants.[2]

[1] These negotiations are fully told by Mr. Brodhead in his *History of New York*, ed. 1859, pp. 123–6. His knowledge of the transaction is derived from the Dutch archives. None of the New England chroniclers even refer to it.

[2] Bradford, p. 27; Winslow, p. 383.

New Plymouth, but in the colonization and extension of New England. That process was carried on throughout, not by the migration of individuals, but of corporate societies. Elsewhere a colony was a band of men brought together for the first time for a special purpose. In New England, on the other hand, all colonization started with a pre-existing organization and unity. Each corporation might be augmented by the influx of new members, and from time to time new corporations might be formed; but in almost every case the corporate union came first, the movement afterwards. Thus it was that New England preserved in so intense a form that civic spirit which was well-nigh lost in other colonies. Each little band of emigrants, whether it moved from Lincolnshire to the coast of New England, or from the Atlantic seaboard along the banks of the Mystic or the Connecticut, carried with it an unbroken chain of associations and an undying sense of brotherhood.

In July the emigrants sailed from Delft harbor to Southampton. The parting counsels which Robinson bestowed on them are too characteristic to be passed over. They were given in his farewell sermon and in a letter which he sent to his disciples during their short stay in England, as though not satisfied that he had said all that was in his heart.[1]

Parting advice from Robinson.

The spirit which these breathe is widely different from that which we shall too often find in later Puritan writings. There is no trace of self-righteous exaltation, no contrast between the Jerusalem of the New World which lay before the emigrants and the Babylon of the Old which they were leaving, nor is there anything of the dogmatic and combative temper which is the keynote in so much of the theological literature of that age. He warns his followers, indeed, with solemnity and deep feeling. But it is not against the dangers of speculative error nor against doctrinal and ceremonial backsliding that he cautions them. He beseeches them to cherish toleration and charity in their daily dealings, not "nourishing a touchy humor," and he bids them "with their common employments join common affections truly bent upon the general good, avoiding as a deadly plague all retiredness of mind for proper advantage." Above all, with signal liberality he exhorts them to be ready to receive new religious truth, since it was "not possible the Christian world

1 The substance of Robinson's sermon is given by Winslow, pp. 385–8, and his letter by Bradford, pp. 39–41.

should come so lately out of such thick antichristian darkness and that full perfection of knowledge should break forth at once." In the same spirit of true catholicity he expresses a hope that in their new home his disciples may be allied with those brethren who, agreeing with them in religious creed though not in policy, had remained within the pale of the Church of England while protesting against many of its usages. Among the many virtues which New England may justly claim for her sons those which Robinson inculcated had no high place, yet there are not a few passages in the early life of Plymouth where we can trace the workings of his gentle and benign influence.

Import-ance of the migration.

New England patriotism has woven out of the voyage and first settlement of the so-called Pilgrims something like a sacred legend, in which every incident and personage is commemorated with loving fidelity. The history of the American colonies has been for the most part dealt with by those who have seen clearly, and even with something of exaggeration, the preponderant influence which the Northern colonies have exercised on the common destinies of the Confederation. The early history of New England is none too rich in picturesque and romantic incidents, and thus the voyage of the Mayflower and the fortunes of those whom she bore have assumed a prominence perhaps beyond their real importance, and certainly far beyond the place which they filled in the eyes of their own generation. If we judge by actual and substantial results, the settlement of Plymouth fell far short of the great movement ten years later. The origin of New England, as the living embodiment of certain political and religious principles, dates from the foundation of Massachusetts. The more vigorous life of the younger commonwealth overshadowed, and in the long run swallowed up, that of her older but weaker yokefellow; nor can it be fairly urged that Plymouth had either by example or otherwise much effect on Massachusetts. If the Plymouth settlement had never been made, the political life of New England would in all probability have taken the same form and run the same course as it did.

Yet it is no delusion which sees in the foundation of Plymouth a turning point in American history. A new force had been put in motion. The settlement of Plymouth may not have been the most effective application of that force nor a necessary condition of its later working, but it was the first trial of it. The discoverer, the gold-seeker, the merchant, had all attempted the task of colo-

nization with varying success. Now for the first time the religious enthusiast, strong in his sense of a divine mission and of a brotherhood whose foundation was in heaven, sailed out on that sea, strewn with the wrecks of so many heroic ventures and goodly hopes.

This interest, however, is not of such a kind as to compel us to follow in detail the movements of the first settlers, save so far as they illustrate the temper in which they approached their task, and the indomitable courage with which they battled against all difficulties.

The voyage.

On the fifth of August, 1620, the emigrants set sail from Southampton. A few recruits had joined them in England, bringing their whole number up to a hundred and twenty.[1] They were embarked in two vessels, the Mayflower, of a hundred and eighty tons burden, and the Speedwell, of sixty. The latter vessel had carried the emigrants from Delft. Her present voyage was unlucky from the outset. She had scarcely set sail when she was found to leak, and with her consort had to put back into Dartmouth. A second time they sailed, but after they had gone about a hundred leagues the Speedwell was again found to be unseaworthy. The emigrants put back, this time to Plymouth, and the Speedwell was condemned as unfit for the voyage. The emigrants themselves set down this mishap, not to any insufficiency in the vessel, but to the knavery of the master and crew, who had been hired to spend a year in the country and now repented of the undertaking. The failure of their ship was not the only hindrance which befell the voyagers. Before leaving Southampton a governor was appointed for each vessel, with two assistants under him. Martin, who was entrusted with the command of those in the Speedwell, proved unreasonable and arbitrary, and seems to have been especially obnoxious to Cushman, who was one of his assistants.[2] Provoked by his misconduct and disheartened by their repeated mishaps, some of the emigrants, among whom was Cushman, abandoned the voyage.[3] Others, too, were finally rejected as unfit for the venture, some from weakness, some as

1 Smith (*New England's Trials*, p. 259) definitely says that a hundred and twenty sailed, and that after the first failure twenty gave up the attempt. This is partially confirmed by Bradford. He gives in an appendix a list of those who actually landed. They number one hundred and two. He does not state how many turned back.

2 This is stated in a letter from Cushman to a friend, named Southworth, published in Bradford's history, p. 43.

3 Bradford (p. 42) describes this reduction of the number of emigrants very fully. It is noteworthy that Morton wholly suppresses it, though he had Bradford's account before him.

having many young children. Of those who had sailed at the first attempt about twenty were left behind. The remaining hundred re-embarked in the Mayflower, and set sail from Plymouth on the sixth of September. The result of this double delay was to postpone the arrival of the emigrants in America by a full month, whereby the winter found them unprepared. Matters were made worse by a bad passage, so that it was not till more than thirteen weeks from their first departure that they sighted land. The point reached was Cape Cod, lying more than two hundred miles beyond the northern boundary of the territory granted to the Virginia Company. The emigrants then resolved to sail south-westward, with the intention of settling near the mouth of the river which had been explored in 1609 by Hudson, and which now bore his name. A contrary wind, however, drove them back. Forty years later their failure was ascribed to the treachery of Jones, the master of the Mayflower. He, it was said, had been bribed by the Dutch, who wished to keep the banks of the Hudson and the shores of Delaware Bay for themselves.[1]

It is certain, from the friendly relations which the settlers maintained both with Jones and with their Dutch neighbors, that no such suspicion was entertained at the time. It is just possible that the English conquest of New Netherlands in 1664 may have brought to light some documentary evidence of this treason. More probably, however, the idea was suggested by the rivalry of the Dutch at a later day. Moreover, the spirit in which the poet of the Trojan migration sang, "tantæ molis erat Romanam condere gentem," was never wanting in the chroniclers of New England. It was ever their tendency to expand and emphasize those incidents in which the hand of God could be traced, guiding the destinies of the Puritan commonwealth, defying the schemes of its enemies and often overruling the counsels of its founders.

Arrival at Cape Cod.

Baffled in their attempt to sail southward, the emigrants anchored in Cape Cod harbor. They found themselves at the head of a peninsula which turns northward and runs for rather more than twenty miles parallel to the mainland. At its northern point it again turns westward, in the shape of a J,

[1] No trace of such a suspicion is to be found either in Bradford or Winslow. The view seems to have been first broached by Morton in his *New England's Memorial*, published in 1669.

thus forming a land-locked basin, where, as it seemed to the passengers of the Mayflower, a thousand ships might find anchorage. The country promised to furnish the necessaries of life, and henceforth, though there may have been doubts as to the exact site, there seems to have been none as to the region in which the settlement was to be placed.

The colonists join in a formal association.

Before the colonists entered upon the search for a home, they took a definite and formal step towards declaring themselves a body politic. One might have supposed that the corporate character attaching to the Leyden church would have sufficed. There seem, however, to have been symptoms of discord, due not improbably to those who had joined the party during its short stay in England. Moreover, since the spot which the colonists had occupied lay outside the bounds of the Virginia Company, the patent granted by that body was valueless, and thus the colonists were left without any formal declaration of their corporate existence in their new home. Accordingly the whole body of emigrants signed a solemn covenant.[1] This set forth as the objects of the colony the glory of God, the advancement of the Christian faith, and the honor of the King and the country of England. It went on to bind all those who signed it to submit to all such laws and ordinances as the community should from time to time enact. There is no reservation of conformity with the laws of England, nor is anything said as to the mode of legislation. The instrument was, in fact, nothing more than a general acknowledgment of the authority of the whole community over each of its individual members. At the same time the settlers proceeded to the election of a Governor. Their choice fell on John Carver, a deacon in the church. Of him we know less than of almost any man who took a leading part in the foundation of Plymouth. We are told that he was a man of good estate, and that he was entrusted with a large share in the negotiations which preceded the departure from Holland. But his origin, occupation, and the length of his connection with the Leyden church are all unrecorded. No steps seemingly were taken towards defining Carver's duties and position, or towards the appointment of any executive. So far the smallness of the community made any constitutional machinery superfluous.

The colonists now betook themselves to a thorough exploration

1 It is given by Bradford, p. 54.

of the country. Sixteen armed men were sent out under the command of Miles Standish, the John Smith of New England. He was of a good Lancashire family, had been a soldier of fortune in the Low Countries, and though seemingly not a member of Robinson's congregation, had enlisted himself among the emigrants.[2] For nearly forty years he was the leading spirit of the colony in every undertaking which needed courage and military skill. He and his party, among whom was Bradford, spent two days in exploring the spit of land which ends in Cape Cod. They found abundant springs of water and ground cleared by the natives, and they had evidence of the fertility of the soil in an Indian magazine of corn, from which they supplied themselves. They also discovered, as they thought, traces of European visitors, and they saw some of the natives, who fled from them. A second voyage of exploration discovered more stores of maize, and also two Indian wigwams. The inhabitants however could not be found, and the explorers were unable to traffic for corn as they had wished.

Exploring parties sent out.[1]

The colonists had now to decide whether they should settle for the winter in their present quarters at Cape Cod or search for a site elsewhere. Those who were for remaining put forward the good anchorage, the fertility of the soil, and the prospect of a profitable whale fishery. They furthermore urged the difficulty and danger of exploration in the winter, and pointed out how the hardships already undergone had unfitted the settlers for further wanderings. On the other hand, fresh water was hard of access, and was likely to fail altogether in summer, while it was said that there was good harborage and fishing ground at Agawam, sixty miles to the north. It was argued, too, that it would be unwise to settle till they were satisfied that the site was the best that could be found, since when once they were established a second migration would be difficult.

Choice of a site.

The question was one of no small importance to the future of the colony. If the nucleus of the new community had been established at Cape Cod, on the point of a peninsula separated from the mainland by a long narrow strip of land or by twenty miles of sea, Plymouth could not have maintained, as it did, a regular, connected, and well-organized system of extension.

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1 In all that follows as to the doings of the Pilgrims for the first few years, I have relied almost wholly on Bradford and Winslow.

2 Mr. Young has collected all that is to be known about Standish, p. 125.

Finally the settlers decided not to venture so far as Agawam, but to make a more thorough survey of the bay. To this end the shallop was again sent out with eighteen explorers, including some of the chief men among the emigrants, Eight of the party stayed on board the shallop, while the rest investigated the land, keeping sight as far as might be of their comrades. In the early days of discovery European voyagers were almost sure of a friendly reception from the savages. Things had been changed by the misconduct of Hunt and the unruly fishermen who visited the coast of New England. On the third morning the land party were breakfasting by their bivouac, having just carried their armor down to the shore and left it by the shallop. The watchful savages had in all likelihood tracked the movements of the strangers, and were ready to avail themselves of this momentary carelessness. The settlers for the first time heard the dreaded war cry, and a shower of arrows was poured in upon each party. A few musket shots, however, served to rout the assailants, and by singular good fortune not one of the English was wounded. The whole party then embarked in the shallop, and sailed round the bottom of the bay, passed the opening afterwards known as Barnstaple, till they reached a point nearly opposite Cape Cod. Here they found a spot fitted for their purpose, alike by its fertility, its supply of water, and its harborage. Some years before the Indian name of Accomac had been changed, either by Smith or his patron, Prince Charles, to Plymouth, a name which associated itself curiously with the last days of the colonists on English soil.[1] Two arms of land, separated by a narrow opening, ran out, the northern rather more, the southern less, than a mile long, enclosing a harbor of about a mile in width. Among the recommendations of this site was the proximity of much cleared corn land, and of a high hill commanding a view over the whole bay.

Further exploration.

Having satisfied themselves of the fitness of the site, the exploring party returned to the main body. For one of them the meeting was a sad one. The wife of Bradford had been drowned during his absence, and it is a significant instance of the impersonal character of his work that, although our knowledge of all these

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1 Smith (*Gen. Hist.*, p. 699) says that he submitted his map to Prince Charles, who renamed several of the places. It will be remembered that there was also an Accomac in Virginia. Smith may, perhaps, have supposed identity of name where there was only likeness.

events is mainly derived from him, we are left to learn this one incident from another source.[1]

On the fifteenth of December the Mayflower, with the whole party on board, sailed across the bay. The decision of the exploring party still left the settlers certain room for choice as to their new home. Two sites seemed to offer themselves as suitable; one on an island at the mouth of the harbor, the other by a river which fell into the middle of the bay. The security promised by the island was a strong argument in its favor, but the want of spring water there, and of cleared ground, finally decided the settlers in favor of the mainland.

The settlers establish themselves at Plymouth.

The history of the first winter at New Plymouth is a noble justification of the boast made in the name of the settlers on the eve of departure that "it was not with them as with other men, whom small things can discourage or small discontentments cause to wish themselves at home again."[2]

Hardships of the first winter.

We are carried back in thought to the starving time at Jamestown, or still earlier to the day when Hore and his followers wellnigh died of hunger on the coast of Newfoundland. The successive delays in starting from England were the main cause of the troubles that followed. If the emigrants had carried out their original scheme, they would have been safely housed before winter. As it was, they were building their log huts at the very time when they most needed shelter. Moreover, in the process of unloading their vessel, and in exploring the coast, the settlers were often compelled to wade, and thus many of them were seized by colds and agues. The ailments thus engendered were made worse by lack of wholesome food. From the season of the year it was impossible for them either to hunt or to gather the fruits of the earth, and by a strange oversight the settlers had brought out no fishing tackle, whereby what should have been a most valuable resource was wasted. The ship's stores could only be eked out with shellfish, and the very process of gathering these must have aggravated the prevailing maladies. One unlooked-for chance saved the infant commonwealth from destruction. The settlers on the Kennebec, far better furnished with all external resources

1 Prince, p. 165. The annalist may have learnt the fact from a pocket-book of Bradford's to which he had access.

2 Letter from Robinson and Brewster in Bradford, p. 33.

and appliances, had given way before the severity of the climate. The men of Plymouth, strong as they were in steadfastness of purpose and in their sense of a divine mission, must have yielded if they had been exposed to the same trials. The stars in their courses fought for them, and they were spared the accustomed severity of a New England winter. Yet even so half their number died, and at one time there were but seven who were not stricken down with sickness.

Happily the savages showed no wish to take advantage of this helplessness. This was in all likelihood partly due to an incident which had happened some few years earlier. The Indians in Massachusetts Bay had captured a French trading vessel, and had put to death all the crew save five, whom they kept as slaves. One of these survivors warned his captors that the God of the white men would not suffer their wrongs to go unpunished. A fearful pestilence which soon afterwards depopulated the shores of Massachusetts Bay seemed to fulfill the prophecy.[1] Not only were the forces of the savage tribes lessened, but the survivors were firmly persuaded that the plague was a weapon in the hands of the new-comers, which they kept treasured up in their camp, and could at any moment let loose upon their foes. At the outset, indeed, the attitude of the savages was suspicious and somewhat threatening. On the sixteenth of March, the settlers for the first time actually had speech of one of them. An Indian who had picked up a few English words among the fishermen near the Kennebec, boldly walked into the English village. The settlers received him kindly, though with a watchfulness which showed that they had no confidence in his expressions of good-will. He tarried for a whole night among them, and on the day after his departure came again, bringing with him five of his countrymen. The friendship which had thus begun was confirmed by the good offices of one Tisquantum, or Squanto, who had been among Hunt's prisoners. He had dwelt for some time in London with a merchant of Cornhill, and had returned with Dermer to his native country. Like Manteo, he showed unswerving fidelity to his new friends.[2] A week after the first meeting a formal alliance was made with Massasoit, the chief

Dealings with the savages.

1 Morton's *New England's Memorial*, p. 44. Bradford (p. 60) mentions the shipwreck and the massacre of the French, but says nothing of the warning. The pestilence is mentioned by numerous writers; see Young, 183. One authority for it to whom he does not refer is the author of the *Considerations;* see p. 113.

2 Winslow, p. 190

of the district.[1] By this he undertook to notify all his native allies of the friendship which had been formed between him and the English. He also promised, if any of his subjects injured the settlers, to hand over the offender for punishment. Each side was to support the other if unjustly attacked, each was to come unarmed on the occasion of a visit, and Massasoit was to be esteemed the friend and ally of King James. Of all the alliances between the Indians and the English settlers in America, none was more steadfastly and more honorably observed.

The arrival of spring brought to the settlers the renewal of health and the promise of increased prosperity. In Bradford's words, "the sick and the lame recovered apace," and "new life was put into them." When early in April the Mayflower, which had been detained through the winter by the illness of her men, set sail for England, none of the settlers, as it would seem, availed themselves of the chance of returning. Just as the Mayflower departed the colony lost its Governor, Carver. He had lived through the hardships of the winter, but was seized with an attack, apparently of apoplexy, while busy with his fellows sowing the common field.[2] There could be little doubt as to the choice of a successor. Brewster held the post of ruling Elder, and there seems from the first to have been an understanding that the governorship could not be held in conjunction with that office.[3] With Brewster out of the field there could be no possible rival to Bradford. If we look upon the history of the early New England commonwealth as the prelude to the history of the great Federal Republic, there is a peculiar interest in this election. Bradford was in truth the first American citizen of English race who bore rule by the free choice of his brethren. Nay more, we may look on him as heading that bead-roll of worthies among whom the ruler whose untimely and tragic death his country yet laments is the latest, though assuredly not the last. From Bradford to Garfield America has never wanted men who with no early training in political life, and lacking much that the Old World has deemed needful in her rulers, have yet, by inborn strength of mind and lofty public spirit, shown themselves in all things worthy of high office.

Bradford chosen Governor.

1 Winslow, p. 193. 2 Bradford, p. 62.

3 Hutchinson's *History of Massachusetts*, vol. ii. p. 460.

When the colony had surmounted the difficulties of the first winter, its existence might be looked on as secured. Only once afterwards, in a moment of peculiar trial and depression, was the thought of removal entertained.[1] The very sufferings which the settlers had undergone, though they weakened the colony materially, were yet not without their value. The good discipline, patience, and brotherly love of the settlers had been tried to the utmost, and the test had revealed no weakness. To those who could discern the qualities on which national success depends the ultimate prosperity of the little commonwealth must have seemed assured.

Stability of the colony.

In a young society, at least if it be a peaceful and progressive one, economical and commercial conditions play a larger part proportionately than they do in long established societies. Till a certain degree of prosperity has been attained, mere physical wants exercise a paramount influence over the life of the community. Thus in the early history of Plymouth the commercial and industrial progress of the colony fills up the foreground; such political changes as came about were directly caused by economical considerations, while the relations of the settlers to these without their own community may be regarded as episodes in the main story. The industrial system with which the colony started was one of pure communism. The whole body of settlers was to work as an organized band under the orders of the Governor and Assistants. All produce was to be put into a common stock. Out of that the wants of the settlers were to be supplied, while the surplus was to form the profits of the Company, or, as Bradford usually calls it, "the general."

Economical condition of the colony.

Some writers have imagined that a desire to copy the institutions of the primitive Church led to the adoption of this system. There is not a word in any contemporary document to show that the Puritans of Plymouth or their brethren in England had even a speculative preference for such a scheme. If the theory needed refuting, it would be disposed of by the fact, already mentioned, that a stipulation for private holdings was urged by the settlers and refused by their commercial associates, who are little likely to have been guided by scriptural precedent.[2]

Later inquirers have, with more plausibility, seen in New Plymouth and in the other New England townships which followed

1 Bradford, pp. 241, 261.

2 See above, p. 42.

its model, the continuation of the old Teutonic village, with its *mark*, or common field, of which a portion is allotted in temporary holdings, to be tilled according to certain fixed rules.[1] The truth of this view depends on the extent to which the analogy is pressed. That there is a likeness between the earlier and later tenure cannot be questioned. But to prove identity in the case of institutions, not merely likeness but continuity is needed. It must never be forgotten that to speak of "institutions" is merely a convenient way of stating the fact that a body of men, in their corporate capacity, perform a certain class of acts. Two generations of the same race, widely separated in time, may perform the same acts; yet, unless the intermediate generations have also performed them, or unless the younger generation is consciously and deliberately copying the older one, it is hardly correct to speak of the institutions as identical. Here, then, we are at once met by two difficulties. If the New England system was the continuation of the *mark*, the English common field is needed as a link between them. But the identity of the *mark* with the English common field of later times, even the connection between them, must be looked on as in itself an open question.[2] And even if we allow that the common tenure, which has left such marked traces on the agriculture of later times, is but a continuation of that system which obtained among the English in their continental home, it has yet to be shown that the New England system was a continuation of the latter.

The manor may have been the continuation of the *mark*, or it may have been an alien system which only resembled it in some of its incidents. But it is certain that the manorial system had, in its turn, been largely superseded by that separate cultivation which has in our day become universal. Communal land tenure was not unknown to the Englishman of the seventeenth century, but it was not the form with which he was most familiar. The adoption of the system by the colonists was due to the necessity which forced them into unwilling partnership with a body of traders. Under these circumstances it is certainly safer, and probably more accurate, to say, not that the colonists carried on

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1 This view is set forth in a monograph by Mr. Herbert B. Adams, entitled *The Germanic Origin of New England Towns*. This forms part of a historical series published by the Johns Hopkins University.

2 Less weight than this cannot, I think, be given to the views set forth by Mr. Seebohm in his recent work on *The English Village Community*. At the same time it would be premature to treat them as forming more than a plausible hypothesis.

the primitive Teutonic usage, but that the usage revived and recovered its strength under circumstances closely resembling those which had originally favored its growth. At the same time it must be admitted that the incidents of the new system often reproduce with startling fidelity those which patient inquiry has detected in the past.

Difficulties with the London partners.

We have already seen in the case of Virginia how the objects of a commercial corporation are likely to conflict with the welfare of a young community. The Virginia Company indeed in its later days, guided by men of singularly lofty and self-sacrificing spirit, postponed present gain to the enduring advantage of the community which it had founded. But the temper which animated Sandys and Ferrars found no counterpart among the merchants who were associated with the Plymouth colonists. We are reminded of the remonstrances addressed by the Virginia Company to its first party of emigrants,[1] when we find Weston, one of the chief London partners, writing to upbraid Bradford with the slender results of the undertaking.[2] Later events make it likely that Weston did more than justice to the complaints of his associates in the hope of making mischief between them and the colonists, and thus securing for himself any profit that could be got out of the settlement. The difference between Smith's answer and that sent by Bradford is characteristic. Smith rebukes the Company for their folly in preferring immediate profit to the permanent welfare of the colony. Bradford's strain is of a higher mood. He reminds the partners that, if the Company had lost their profits, the settlers had suffered worse things in the loss of many honest and industrious men's lives. The alliance with a commercial company might be a needful stepping-stone for the Puritan refugees in their search for a new home: it could never as a lasting arrangement be acceptable to either side. The relations between the settlers and the London partners were made yet more unsatisfactory by the want of unity which prevailed among the latter. Weston's letter showed clearly that he had no sympathy with the peculiar aims and principles of the Plymouth settlers, and in his subsequent conduct he proved himself equally disloyal to his colleagues in England. He soon gave reason to suspect that he was endeavoring to alienate the settlers from their partners, and by thus wrecking the Company

1 *Virginia*, etc. p. 124.

2 Bradford publishes Weston's letter and his own answer in his history, pp. 66, 67.

to get the trade of the colony into his own hands.[1] This suspicion was confirmed by the fact that he was engaged in establishing a private plantation of his own. The fate of this abortive and discreditable effort will be more fitly dealt with hereafter.

Weston was not the only one of the partners who sought to make his own profit at the expense of the rest. Since the site occupied by the settlers formed no part of the Virginia Company's territory, it became necessary to obtain a patent from the grantees of the soil, the recently established Council for New England. Accordingly, in May, 1621, a patent was issued making over to the adventurers the tract on which their emigrants had settled. This patent was granted by John Pierce, one of the partners, as agent or trustee for the whole body. What followed is somewhat obscure. Pierce, it is said, contrived in the next year to obtain from the Council a fresh patent, superseding the original one.

This new instrument seemingly converted Pierce from the trustee of the Company into the actual recipient in his own right, and placed the partners in the position of his tenants. In the autumn of 1622 Pierce sailed for New England to put in force his fraudulently gotten claims. A storm, however, drove him back, and forced him to postpone his voyage till the next year. A second time he sailed, and a second time he was beaten back by contrary winds. In March, 1623, Pierce's partners summoned him before the Plymouth Council. After a long dispute Pierce abandoned his claim. On the face of the matter it would seem as if a barefaced attempt at fraud had failed, but if it be true that Pierce received five hundred pounds as compensation, there must have been circumstances in the case beyond those which have been recorded.[2]

It is scarcely a subject for wonder that the partners, thus beset by dissension among themselves, should have neglected the welfare of the settlers. In the autumn of 1622 the colony was increased by the arrival of thirty-five fresh emigrants. But after the first migration no supply of food was sent from England. This was treated by the settlers as a grievance against their partners in England. Yet it seemed in no way unreasonable that the colony

[1] Bradford, p. 76.

[2] All that we know about Pierce's patent is derived from the Minutes of the Council for New England, in the Colonial Papers, and from Bradford. That he received five hundred pounds compensation is stated in a letter written by the London partners, and published by Bradford, p. 99.

should have been expected henceforth to maintain itself by its own labor.[1]

Their necessities compelled the settlers to make an important change in their economical arrangements. Communism had, in all probability, only been tried as a temporary experiment, but even as such it had failed. The nature and causes of that failure are forcibly described by Bradford. The "aged and graver" men resented having to take their place as laborers in a common gang, while the young and vigorous felt it hard that their labor should be no better rewarded than that of the old and infirm. Husbands, too, disliked an arrangement which compelled their wives to act as public servants, and to wash and cook for any members of the community as the government might appoint.

Grant of allotments.

Accordingly, in the summer of 1623 the system of individual property was cautiously and tentatively introduced. A portion of land was to be annually allotted to each household for the cultivation of corn. Those whom we may call the unattached members of the community, young bachelors and boys not belonging to a family, were told off to work under the control of the different householders.

The industrial prosperity of the community seems to have dated from this change. The authority of the Governor and Assistants was no longer needed to enforce industry, and those who under the former system had professed themselves unable to work now toiled zealously for the profit of their own families.[2]

Yet the system as thus amended was not wholly satisfactory. The industrious husbandman saw the plot of land which he had laboriously cleared and manured pass after the expiration of a year into the hands of, it might be, an idle and improvident neighbor. Accordingly, in 1624, an application was made to the Governor for permanent holdings. The request was granted, and one acre was allotted in perpetuity to every freeman. The condition was imposed that it was to be near as might be to the town.[3] From this we may infer, what is fully confirmed by later proceedings, that the system of land tenure adopted by the settlers was in a great measure shaped by

Further division of land.

1 Winslow, p. 280.

2 This change, its causes and its results, is very fully told by Bradford, p. 96.

3 *Ib.* p. 116.

their need for political and religious union, as well as by economical considerations.

The change from communal to private ownership was probably furthered by an important, though somewhat obscurely recorded, event which took place at nearly the same time that the first allotments were granted. There came out in 1623 a party of about sixty emigrants, who were to live upon the territory and be under the same general jurisdiction as the other settlers, but who were to have land of their own allotted to them, and to be altogether independent of the corporate trade and agriculture of the Company. Their presence was a source of difficulty from the outset. They themselves were afraid lest the supplies which they had brought with them should be cast into the common stock. On the other hand, the older settlers seem to have thought that the new-comers might unfairly enter into the fruit of their labors. An agreement however was made which seems to have satisfied both parties. The new-comers were to have lands allotted to them which they should till separately and in such manner as they chose. Half the produce, over and above what they needed for their own wants, was to be brought into the common stock, while out of the residue they were to pay a certain quantity of corn for the maintenance of government. Beyond this no public burden was laid upon them save the duty of personal service in defence of the community. They were to have no share in the fur trade with the Indians, but it was to be reserved as a monopoly for the Company.[1]

Private settlers.

Though this arrangement was accepted as for the time satisfactory, it left ill-feeling between the two parties, which in the next year broke into open enmity. The only witness for this matter is Bradford, whose account is somewhat obscure, and necessarily tinged with a suspicion of partisanship.[2] The leaders in the matter were Oldham and Lyford. Oldham, in all likelihood, was one of the independent settlers whose accession to the colony has just been mentioned. He seems to have been an energetic, headstrong, contentious man, but not wanting either in honesty or public spirit. Lyford was a minister who had been brought out in 1624. He was apparently a man of that peculiar type of wickedness which an austere and

Difficulties of the new-comers.

1 Bradford, p. 100.

2 The whole account of this dispute and the agreement by which it was settled is to be found in Bradford's chronicle of the year 1624.

exacting system of morals is apt to breed out of evil natures, sensual and a hypocrite. These two were found to be secretly raising a faction against the government. Their plot was brought to naught by the energy of the Governor. Lyford had sent home a number of letters, which were thought to contain attacks upon the government of Plymouth. Just as the ship which was to take them had set sail, Bradford boarded her from a boat, and with the help of the master seized upon Lyford's letters and opened them, copying some and detaining others. This measure was justified by Lyford's own conduct, since he had dealt in like fashion with letters to Robinson and Brewster. The papers which Bradford seized were found to contain complaints of the manner in which the independent settlers were treated, and revealed the existence of a party among the merchant adventurers who sought to change the civil and religious constitution of the colony.

For a while the Governor and his advisers were content to watch the proceedings of the malcontents. But before long the contumacious behavior of Oldham gave them an opportunity for striking a blow. The disaffected, if there were such, showed no readiness to support their leaders. Oldham was punished, and when in the next year he attempted to return and stir up a fresh faction, he was driven out in a peculiarly ignominious fashion, having to run the gauntlet of a guard of musketeers who beat him with the butts of their weapons.[1] At a later day he seems to have become reconciled to the government of Plymouth, and played a prominent and discreditable part in New England history. Lyford was more leniently dealt with, being suffered to remain in the colony on promise of repentance and amendment. But he was soon found to be renewing his malpractices, while at the same time the gross immorality of his private life was brought to light. He was banished from the colony, and died not long after in Virginia.

The whole course of events so far had tended to make the settlers and the London partners dissatisfied with the existing state of affairs. Those of the adventurers who professedly wished well to Plymouth complained that the religious exclusiveness of the colonists and their reputation, certainly ill-deserved, for idleness and neglect of business kept subscribers aloof. Bradford, indeed, himself admits that the colony had been injured by the indiscretion of those who "sent

Dissolution of the Company.

1 On this Bradford is confirmed by Morton (*N. E. Canaan*, bk. iii. ch. viii.).

out all the weakest and poorest, contrary to our minds and advice."[1] On the other hand, the whole tone of his history clearly shows that the settlers felt themselves neglected by their associates. Another grievance complained of by the settlers was the expense caused by the "too much jollity" of their partners at their meetings in London, a charge admitted and faintly palliated by the adventurers.[2]

Thus all sense of a common interest uniting the settlers to their partners in England had disappeared. The capital contributed by the adventurers had been a necessary condition for establishing the colony, but beyond that the settlers had gained no help from their associates. Nay, more; the union was a hindrance to the religious and political designs of the colonists. They would fain have brought out at the cost of the Company those brethren who had remained behind at Leyden. The London partners not unnaturally objected to an expenditure which held out no promise of commercial gain.[3] They must have seen, too, that the trade of a little community which was struggling for a bare existence left but a narrow margin for profit.

Accordingly, in 1627 the partnership was dissolved by agreement. The London merchants made over the whole of their stock and interest in the colony to the settlers for eighteen hundred pounds.[4] By a further arrangement the trade of the colony was vested for six years as a monopoly in a small private company, consisting of the Governor, Winslow, Standish, Brewster, and four others. In consideration of this they became responsible for the payment of the eighteen hundred pounds, and undertook over and above to free the colony from its corporate debts, amounting to six hundred pounds, and to make certain necessary advances of corn and implements.[5] The newly formed partnership found itself entangled in many difficulties. Money had to be borrowed at thirty, in one case, indeed, it would seem, at forty-five, per cent.[6] Matters were made worse by the speculative rashness, if not the actual dishonesty, of the agent in England, Allerton. There is, however, no need to follow the confused and tortuous thread of these disputes, since they had no effect on the growth or general well-being of the colony.

1 Bradford's letter-book, p. 69.
2 These complaints and recriminations are to be found in Bradford's letter-book, pp. 29–38.
3 Bradford, p. 110.
4 The agreement is given by Bradford, p. 143.
5 This is also given by Bradford, p. 152.
6 This is stated in a letter from Shirley to Bradford (Bradford, p. 154).

The dissolution of the Company was attended by another, and an even more important, economical change. Hitherto the settlers had been hindered in their tillage by the want of live stock, and the English grain which they endeavored to grow did not thrive.[1] They had now learnt from their Indian friends the cultivation of maize,[2] and they had also imported some horned cattle.[3] Accordingly, in 1627 the settlers resolved to carry further the system of private allotments. The land along the banks of the stream to the south of the town was divided, by officers specially appointed, into patches of twenty acres each, with a river frontage of five acres. These were then assigned by lot to the different householders. At the same time the system of separate holdings did not entirely and at once supersede that of common tillage. Since it was beyond the power of a single householder to till twenty acres of ground at once, only those lots which lay near the town were to be taken in hand. Each landholder whose plot was brought under cultivation was to associate with him a certain number of his neighbors chosen by himself, or, in default, assigned to him by the Governor and Assistants. This arrangement was to last for four years. The owner was to reserve for his own use twice as much land as he would be able to reclaim within that time. Meanwhile his associates were to live on the rest, and at the end of the term to proceed to their own holdings. The owner of each plot was to have full rights over all timber which grew upon it, but he was to enjoy no monopoly of fowling or fishing, and he was bound to leave a footpath through his ground.[4]

Further division of lands.

At the same time, and no doubt as part of the same arrangement, a distribution of live stock was made. A cow and two goats were allotted to every thirteen persons. The details of the division are recorded with quaint minuteness.[5] To compensate for varieties in the qualities of the animals, the recipients of the better ones were bound to return a certain proportion of the produce to the general stock. The arrangement was, no doubt, less complex in fact than would at first appear. Usually several of the joint owners were members of a single family, and we meet with more than one case where a comparatively rich man, such as Standish, at once bought out his partners.

Distribution of live stock.

1 Bradford, p. 61. 2 *Ib.* 3 *Ib.* pp. 109, 137.
4 *Ib.* p. 140. Records, vol. xi. p. 5. 5 *Ib.* vol. xii. p. 9.

The increased prosperity of the colony is clearly marked by an entry in the records for 1633, dealing for the first time with the public meadow land. Hitherto, no doubt, the rearing of cattle had been confined to one or two of the richest settlers, and there had been no need for any general arrangement as to haymaking. But now the growth of other settlements in the neighborhood enabled the colonists to drive a thriving export trade both in corn and cattle, and thus hay was needed both for rearing stock and feeding plow-oxen.[1] Accordingly, we find the community adopting the arrangement universal in the old Teutonic system, and allotting to each household a portion of the common pasture, to be kept up and mown, and then to revert to public use.[2]

Allotment of meadow land.

By this arrangement the land system of the community was brought into almost exact conformity with that of a primitive village community, as described by those who have reconstructed it from tradition and surviving details. Each household had its own equal patch of arable land. The grass land beyond was divided into two portions; one the waste, where all freemen had equal rights of common pasturage; the other subject to temporary occupancy by individuals on a regular system for the one purpose of haymaking. But, as we have seen, this likeness cannot safely be set down as the result of continuous usage, nor is it likely that it was caused by conscious imitation. It was rather due to the combination of a similar political system with similar conditions of soil and climate.

It is not till a community has reached an artificial and self-conscious condition that it dwells on or commemorates the details of its everyday life. Fortunately we have independent testimony from which we can form a clear idea of the outward appearance of the Puritan colony in its early days. In 1627 Isaac De Rasieres, the Secretary of the Dutch colony at New Netherlands, visited Plymouth. The circumstances of that visit will come before us again. For the present we are only concerned with his detailed description of the settlement, which evidently impressed him by its sober dignity and completeness.[3] His description, read in conjunction with extant records, brings the little town clearly before our eyes. It stood on rising ground separated from the sea by some twenty yards of

General appearance of the settlement.

1 Bradford, p. 192. 2 Records, vol. i. p. 14.

3 De Rasieres' letter is printed in the Appendix to *New England's Memorial*, p. 495.

sand. The buildings were laid out like a Roman city in miniature. Two streets crossing one another formed the town. At their meeting stood the Governor's house. Before it was an open space, the forum as one may call it, guarded by four cannon, one to command each of the ways which met there. On an eminence behind the town, but within its precinct, stood the building which at once testified to the civil and religious unity of the little commonwealth and to the constant presence of an armed foe, the public store-house, place of worship, and fort in one, protected with battlements and six cannon. Each house was a substantial log hut, standing on its inclosed patch of ground. Round the whole ran a palisade, the *tun*, which, as a distinguishing feature, so often gave its name to the Teutonic settlements. Of the four entrances three were guarded by gates, the fourth being sufficiently protected either by the fort or the sea. Along the stream to the south was the arable land, divided into small patches of corn. Beyond lay the common pasture, the *mark*, with its diversity of meadow, wood, and jungle.

Trade of the colony.

The sojourn of the colonists in Holland had familiarized them with trade, and had developed habits and capacities beyond those of the ordinary English yeoman. The partnership with the London merchants too, short and unsatisfactory as it was, must have had its effect. Thus from the outset Plymouth was not merely an agricultural, but also a trading and seafaring community. In 1623 the settlers made their first commercial venture. They built a pinnace, and sent it south to buy corn and beaver from the Narragansett Indians. They found however that the Dutch had already secured that market, and that the beads and knives which they offered were little esteemed in comparison with the cloth and other commodities of their rivals.[1] Next year the adventurers in England attempted, with the help of the settlers, to establish salt works at Plymouth, and a fishing station at the northern extremity of Massachusetts Bay, named by the filial piety of Charles the First Cape Ann.[2] Both these undertakings failed through the incompetency and misconduct of those who were in charge of them, and an attempt next year to transfer the salt works to Cape Ann fared no better.[3] In

1 Bradford, p. 108.

2 This is one of the names given by Prince Charles, and either suggested or adopted by Smith (see p. 43). Smith himself had called the cape Tragabizanda after a princess the heroine of one of his romantic adventures in Eastern Europe.

3 Bradford, p. 117.

1625 the settlers made a more successful venture by sending a shallop laden with corn to sell to the Indians along the Kennebec. This attempt prospered, although those who undertook it knew nothing of the district and had no experience in seamanship.[1]

In 1627 the settlers took an important step in extending their trade southwards. By establishing a permanent station at the head of Buzzards Bay, and keeping a ship there, they were able to secure an overland passage and avoid the dangers of Cape Cod.[2]

Next year the trade on the Kennebec was definitely established by a grant of land there from the council for New England, and by the building of a factory.[3] The colonists soon pushed their enterprise yet further. The partners who had bought the trade of the company set up a factory at the mouth of the Penobscot,[4] and some of them, apparently as a private venture, built what is described as a wigwam in Machias Bay.[5] These attempts were regarded by the French settlers in Canada as encroachments. In 1631 they attacked and plundered the factory at Penobscot,[6] and soon after that at Machias shared the same fate.[7] Over and above these ventures to the north, the settlers were pushing the trade with the Indians southwards, in the direction of the Connecticut. These proceedings, however, in that quarter were so closely mixed up with the history of Massachusetts, that it will be best to deal with them later.

Intercourse with New Netherlands.

The relations of the settlers to the Dutch in New Netherlands were in the early days of the colony uniformly friendly. In 1627 the two governments exchanged letters, with promises of mutual good offices and proposals for trade.[8] It is noteworthy that Bradford in his letter dwells on the hostility of the Spaniard as a possible danger common in each colony. He also warns the Dutch Governor to beware of the jealousy of the English in Virginia, as shown by the dealings of Argall with the French. It is not unlikely that the settlers in New Netherlands looked on Plymouth rather as an independent community than as appertaining to England. This, coupled with the dread of a Spanish attack, would explain conduct so

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1 Bradford, p. 138.
2 *Ib.* p. 149.
3 *Ib.* p. 157.
4 *Ib.* p. 170.
5 *Ib.* p. 189; Winthrop's *History of New England*, vol. i. p. 117. Here and elsewhere I refer to the original pagination.
6 Bradford, p. 189.
7 Winthrop, as above.
8 Bradford, pp. 149–51.

much at variance with the jealous and exclusive policy usually adopted by the Dutch.

Soon after these letters had passed, the English settlers received a formal visit from De Rasieres, the Secretary of the Dutch colony. His solemn entry, preceded by trumpeters, must have been the nearest approach to a public pageant which the little Puritan village had yet witnessed. He explained to the Plymouth settlers how profitable they would find it to barter wampum or shell-money with the Indians for furs, and encouraged them to push their trade to the north.[1]

We have already seen how the relations of the settlers to the Indians were favorably opened by an alliance with Massasoit.

Dealings with the Indians.

Two events soon occurred which served to strengthen this friendship. The settlers were able to help Massasoit against a disaffected sachem, named Corbitant, who had made himself specially obnoxious to the English by threatening the life of their friend and interpreter Squanto.[2]

A further opportunity for befriending Massasoit soon arose. In the spring of 1623 news came to Plymouth that he was near death. Accordingly Edward Winslow was sent to give help. Among the settlers he stood second only to Bradford, both in literary power and practical capacity. Bradford, as Governor, could not leave the settlement, and accordingly what one may call the diplomatic work of the little community, whether among the Indians or in England, was discharged by Winslow. He had already once visited Massasoit, and his clear and graphic account of his journey is among the most interesting of the records of native life left to us by the early settlers.[3] It brings out forcibly the wayward temper of the savage, his sudden changes from unreasoning suspicion to hearty friendship, and the mental quickness and eagerness for knowledge which were so strangely united with the ineradicable barbarism of his daily habits.

The illness of Massasoit, though far beyond the skill of the Indian doctors, yielded readily to the treatment of Winslow. The chief at once showed his gratitude by revealing to his benefactor certain evil designs which his neighbors entertained against the English.[4]

In Virginia the English had to deal with a single native power,

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1 De Rasieres' visit is described by Bradford, p. 157.

2 Winslow in Young, p. 219.

3 It is published in Young, ch. xi.

4 For Winslow's second visit, see Young, ch. xx.

whether as friend or foe. In New England it was otherwise. Besides the Pokanoket Indians under the rule of Massasoit, there were at least five other tribes between Plymouth Bay and the Connecticut. It is clear too that Massasoit's own authority was but lax, probably through that change in the system of chieftain ship of which I have spoken elsewhere.[1] This condition of things made it difficult for the settlers wholly to avoid hostility with one tribe or another, while on the other hand it lessened the danger of a united attack. The alliance with Massasoit was followed by the formal submission of nine sachems within his district.[2] The first sign of hostility to the settlers came from the Narragansetts, a tribe on the west side of the bay so named, facing the Pokanokets. In January, 1622, their chief, Canonicus, alarmed or exasperated by the alliance of the English with his enemy Massasoit, sent Bradford a symbolical warning, a bundle of arrows, wrapped in a rattlesnake's skin. The Governor, having learnt from his Indian friends that the message was meant to be hostile, replied in kind by sending back the skin stuffed with powder and ball. His prompt answer apparently awed Canonicus.[3] Fortunately for the settlers of Plymouth, the territory of their friend Massasoit lay directly between them and the Narragansetts. Canonicus did not follow up nor repeat his threat, and in the next year his people were trading with the settlers for corn and furs. The men of Plymouth had other disputes with the Indians, but these rather concerned the outlying English settlers, and will be best dealt with in connection with that part of our subject.

Extension of the colony.

The increase of Plymouth in point of population was slow as compared with that of the southern colonies. In 1624 it only numbered a hundred and eighty inhabitants.[4] By 1626 it had increased to three hundred.[5] This paucity of population is explained by the economical and religious condition of the colony. In the south there were no limits upon territorial extension, and thus there was room for every one who had hands with which to till the ground. The large planter would gladly find implements, food, and a hut for every laborer that would work for him. But in New England the demand for

1 *Virginia*, etc. pp. 13, 14, 398, 399.

2 Prince, p. 196. Winslow and Bradford both mention the fact but without specifying the number.

3 Winslow in Young, p. 281.

4 Smith's *General History*, p. 247.

5 This is expressly stated in the patent granted in 1629 (Hazard, vol. i. p. 300).

hired labor was limited by the want of capital and the smallness of the farms. The mere field-drudge, the offscouring of a great city, could find work on a tobacco plantation, but there was no place for him in the economy of New England. The Plymouth emigrant, if he had not capital enough to become a yeoman-farmer, needed at least skill enough to become a craftsman or a plowman. The increase of New England was therefore necessarily slower than that of the southern plantations.

Religious exclusiveness worked in the same direction. Though no formal test was required for citizenship, we may be sure that Plymouth was no place for those who were outside the pale of Puritanism. So long as the settlers were yoked with the London partners they could not be free in their choice of associates. We have already seen what trouble might arise from the accession of colonists who were wholly alien from the original emigrants, and there can be no doubt that a desire to escape from such enforced union hastened the dissolution of the partnership. One of the first results of that change was an addition of fresh emigrants from Leyden. Thirty-five came out in the May of 1629, followed by a smaller body soon after.[1] It is hardly likely that any persons would have wished to settle in Plymouth who would have been unacceptable to the Puritan inhabitants, but if any such danger existed it was guarded against by a law passed in 1639, requiring that all who became householders should first obtain the approval of the Governor and Council.[2]

One incident recorded by Bradford illustrates the restrictions which the exclusiveness of the existing settlers imposed on the increase of the colony. An emigrant ship bound for Virginia was driven ashore at Plymouth. A few that "carried themselves very orderly" were suffered to remain. The rest, "being untoward people," were compelled to seek their original destination. The means by which their exclusion was enforced is not specified, but may be filled in with no great effort of imagination.[3]

In spite of these checks on extension the increase of trade and agriculture brought its natural result. About 1630 the settlers began to occupy the fertile pasture land, to the north of Plymouth.[4] Standish seemingly took a leading part in this movement, since the newly occupied ground

Growth of new towns.

1 Bradford, p. 165. He expressly states in a note in his letter-book (p. 7) that the second company was the smaller.

2 Records, vol. xi. p. 26.

3 Bradford, pp. 146–8.

4 *Ib.* p. 192.

bore the name of Duxbury, in commemoration of his Lancashire birthplace. Many of the Plymouth settlers abandoned their allotments near the town, and it was found necessary to enact that all land so deserted should revert to the commonwealth and might be re-granted.[1] Bradford and those in authority looked with disfavor on this tendency to spread abroad. We shall find a like feeling in the neighboring colony of Massachusetts. It was natural enough that the first Plymouth settlers should feel peculiar affection for a home surrounded by such recollections and won at such a price. No doubt too, the jealous watchfulness of the New England government in this matter was a wholesome check upon those temptations to dispersion which a new country offers. Yet their dislike to what was only the natural and necessary growth of the colony shows how little the founders of Plymouth understood its future destiny. Besides tending to weaken the original settlement of Plymouth, the distance of the new plantation made it difficult to meet for congregational worship. The Governor and Assistants proposed a compromise. They would gratify the desire for more extended holdings by allotting to some of the richer residents land at Green Harbor, a little to the north of Duxbury, to be farmed by hired servants.[2] This scheme would have dissociated the possession of land from the use and occupation of it, and thus, by its tendency to divide the community into large landed proprietors and hired laborers, would have changed the whole character of the settlement. The remedy soon proved worse than the evil. The occupants of the lands at Green Harbor ceased to have any political or religious connection with Plymouth.[3] Accordingly, the Governor and Assistants reluctantly gave way, and Duxbury was constituted a township with a church.[4] At the same time the supremacy of the old settlement was asserted by a resolution that the government should be "tied" to Plymouth, and that the Governor should be required to live there.[5] The old anxiety for union soon reappeared, and in 1636 a proposal was made to build a place of worship which should serve as a meeting-point for the two townships.[6] Besides the practical inconvenience of such a scheme, it could not have failed to be repugnant to the patriotism

1 Records, vol. xi. p. 18. 2 Bradford, p. 192. 3 Bradford, as above.

4 The admission of Duxbury to the full rights of a township is recorded in 1637 (Records, vol. i. p. 62). But in the previous year a constable was appointed for Duxbury, so that it is clear that it possessed certain separate rights.

5 Records, vol. i. p. 36. 6 *Ib.* p. 41.

of Plymouth, and, as might have been expected, it fell to the ground. The process of extension was soon carried further, and a third township came into being at Scituate, some ten miles beyond Duxbury.[1] It is worth notice that both these settlements were near to the coast, and both to the north of Plymouth. Thus the tendency of the colony to become a seafaring as well as an agricultural community was confirmed. At the same time it was brought into close connection with Massachusetts, and the need for some kind of union was increased.

The growth of these new townships gave an impulse to the political life of the colony. So long as Plymouth was the only settlement, constitutional machinery of a simple kind sufficed. The power of making laws was vested in the whole Assembly of the freemen. The judicial and executive body, called the Court, consisted of the Governor and seven Assistants elected by the Assembly. This Court admitted freemen and granted land, and in conjunction with a jury tried civil and criminal cases.[2] The addition of Scituate and Duxbury made some system of delegation a necessity. Complete representative government did not, however, come at once. In 1636 eight Deputies met, four from Plymouth and two from each of the other colonies, and in conjunction with the Court revised and codified the laws.[3] These delegates, however, were only appointed for the special business in hand, and, as it would seem, without any definite intention of continuing the system of representation. They confirmed the existing distribution of power between the Council and the General Assembly. The code which they produced was moderate and sensible in its tone, and showed no marked trace of Puritanism either in moral austerity, or in giving any special prominence to offences against religion.

System of representation.

The selection of Deputies was only intended as a temporary measure for a special purpose. But in November, 1636, another step was taken in the direction of a representative system. The functions of the General Assembly were divided. The meetings for legislation were to be kept distinct from those for electing the

1 The date at which Scituate was formally admitted to the rights of a township is not recorded. But it is described as a town in 1636 (Records, vol. i. p. 44), and it had a constable at the same time as Duxbury.

2 The constitutional powers of the Court are first formally declared in 1636 (Records, vol. xi. p. 11). But there is every reason to believe that the arrangement described existed from the time of the first settlement.

3 Records, vol. xi. p. 6.

Governor and Assistants. At the former the whole body of freemen were to attend as before; at the latter proxies were to be allowed.[1] The need for this change was illustrated by the fact that two years later sixteen freemen were fined for absenting themselves from the Assembly.[2]

In 1638 the system of representation was definitely introduced, and the functions of the legislative Assembly of freemen were virtually transferred to Deputies. Plymouth returned four, each of the other towns two. It would seem as if this change was accompanied by an extension of the franchise. Hitherto only freemen had been allowed to appear at the General Assembly. Henceforth it was enacted that, while the representatives themselves must be freemen, all the householders without qualifications should have a vote in their election.[3] Apparently the new system did not formally supersede the old. The primary Assembly still seems to have remained in theory the supreme legislative body.[4] In practice, the advantages of representation asserted themselves, and the more cumbrous system fell into disuse.

We may profitably compare this change with the like process in Maryland. There, too, a primary Assembly was superseded by a system of representation, and there was a period of transition during which the two were in the same measure combined. But the superior political intelligence and constructive power of the New Englander is manifest throughout the process. At Plymouth the change was effected easily, indeed, almost spontaneously, and completely, with none of those compromises which accompanied it in Maryland.

The dissolution of the partnership left the settlers immediately dependent on the council for New England. It was doubtful how far the Plymouth colonists could claim any rights under the patent of 1621, and, except for that, they were mere squatters with no legal title to the territory which they occupied. In March, 1629, Bradford received an alarming letter from Shirley, one of the London adventurers, who still took an interest in the Company. It warned him that Gorges, though avowedly friendly to the colonists, wished in reality to withhold

The new patent.

1 The clause allowing proxies is in the Records (vol. xi. p. 80). As nothing is said limiting or altering the powers of the general Court, we are, I think, justified in supposing that they were left intact.

2 Records, vol. i. p. 104.

3 *Ib.* vol. xi. p. 91.

4 It is expressly ordered in the act which provided for Deputies that the general Court should reserve the power of revising and repealing those proceedings.

from them all security of tenure.[1] At least one agency was sent to England, but with no effect.[2] At length, in January, 1630, the desired instrument was obtained.[3] The patent granted by the New England Council gave to Bradford and his associates all the land bounded by the Cohasset river on the north, the Narragansett river in the south, and the territory of Pokanoket to the west. In addition to this the patent set forth that the colonists had no suitable place for trade and fishing, and to that end granted them a tract of land extending fifteen miles in breadth on each bank of the Kennebec. It also gave power of legislation, subject to the usual reservation in favor of the laws of England, and to a special limitation in favor of any form of government established by the Council. The latter condition greatly lessened the value of the grant, since Gorges might at any time carry out his scheme for establishing a general government over the whole of New England, and thereby sweep away the constitution of Plymouth at one stroke. The patent also granted a monopoly of trade with the Indians within the limits assigned, and empowered the settlers to defend this and their other rights by force of arms.

This patent gave the settlers secure possession of their land, but it did not go farther. It did not guard them against legislative interference by the Council or by the Crown. The latter was probably the more real danger. The King's proclamation, issued in May, 1625, referred specially to Virginia.[4] But it also set forth that New England formed part of the King's empire, and it might be supposed to foreshadow a comprehensive system of control by the Crown.[5] Dreading such danger, the settlers bestirred themselves to get a charter from the King. Like every form of court favor in that day, it could only be procured through venal officials, and the Plymouth settlers were but scantily supplied with the means of corruption. Nevertheless, the negotiation seemed for a while in a fair way to succeed. Difficulties, however, arose, partly from the dishonesty or incompetence of Allerton, partly, it was thought, from the unworthy jealousy felt by the newly formed Company of Massachusetts.[6] No charter was obtained, and the

1 Shirley to Bradford, *Mass. Hist.*, 1st series, vol. iii. p. 71.

2 Bradford, p. 166.

3 The instrument is in Hazard, vol. i. p. 298.

4 *Colonial Papers*, 1625, May 13.

5 Letter from White to Bradford in Bradford's letter-book, p. 43.

6 Shirley to Bradford, letter-book, p. 72. In the same letter Shirley says that "many locks must be opened with the silver, nay, the golden key."

legislative independence of Plymouth was left to depend on the precarious good-will of the sovereign.

Meanwhile the task of colonization was being carried on along the shores of New England, feebly and imperfectly indeed, by others besides those of Plymouth. One attempt was made by that Thomas Weston who had played so base a part alike towards the settlers and towards his commercial partners. In 1622 he severed his connection with the London merchants, and sent out on his own account seventy men, who settled on the south side of Massachusetts Bay, some twenty-five miles by land from Plymouth.[1] Our knowledge of their doings is mainly derived from Bradford, who is necessarily an unfavourable witness. An independent settlement under a man like Weston could not but be a source of uneasiness to the Plymouth colonists. They might well dread alike either its success or its failure. In the former case it would be a dangerous commercial rival. In the latter it might entangle them in difficulties with the natives or might become a drain on the resources of the colony. Thus Bradford's account could hardly fail to be tinged with animosity. Yet we may safely acquit him of inventing the calumnious invective. He draws a vivid picture of the thriftlessness and folly of Weston's settlers, in language which reminds us of the worst days of the colony at Jamestown. On their first arrival the new-comers were quartered at Plymouth, while their leaders were choosing a place for their settlement. At the very outset they showed their folly and dishonesty by lessening the scanty supply of food by plundering the green corn in the night. Their departure to Wessagusset did not put a stop to their misdeeds and improvidence. Only the earnest remonstrances of the Plymouth government withheld the overseer Saunders from robbing the natives of their grain, an act which would have exposed every English settler in the country to the risk of massacre. Returned from this, Weston's settlers were brought to the most abject straits. Some pilfered from the Indians, some sold their clothes to them; others even made themselves over as slaves to the savages. There is indeed far more of contempt than pity in Bradford's tone, when he tells of one who was so weak that in searching for shellfish he stuck fast in the mud and died where others, after gathering clams and ground nuts, could not guard their wretched stores from the natives.

Weston's settlement.

1. For Weston's doings see Bradford, passim, pp. 77–107. Something also may be learnt from Gorges.

Weston's settlers, who are described as "lusty men," had at their first coming scoffed at the poverty and weakness of the Plymouth settlers. They soon found themselves dependent for very life on the men whom they had despised. In the summer of 1623 the settlers at Plymouth were able at once to befriend these evil neighbors and to be rid of them. A message came from Massasoit warning the government of Plymouth that a widespread conspiracy had been formed to cut off Weston's plantation, and that the danger would probably extend to all the English settlers. The tribes that were found for this purpose extended, we are told, from Agawam, in the north, to the island of Capawack, or, as it was called at a later day, Martha's Vineyard, in the south.[1]

Such a preparation for the destruction of two small settlements, both weakened by poverty and sickness, shows how deeply the resources of the white man had struck terror into the savage. Standish was at once dispatched with a party of armed men to seize the ringleaders among the natives, especially one Wituwamat, who was thought to be at the bottom of the conspiracy. The language and demeanor of the Indians when Standish arrived justified his suspicions. But before they could proceed from insults to actual attack Standish struck the first blow. Two of the savages were killed and the rest dispersed. When the news of this, the first encounter of the settlers with the natives, reached the brethren in Holland, the kindly temper of Robinson broke out in the pathetic lament, "How happy a thing had it been if you had converted some before you killed any!"[2] He might have been consoled by hearing that Standish, with humanity which unhappily was not always followed, was careful to do no hurt to the Indian women.

Having relieved Weston's settlers from the threatened danger, Standish gave them a sufficient supply of corn to enable those who wished to sail northward and get a homeward passage in fishing vessels. A few followed their deliverer, and were suffered to join themselves to Plymouth.[3]

Scarcely had his colony been dispersed when Weston himself arrived in America. We may pardon the Puritan chronicler if he shows some satisfaction in telling how miserably Weston wandered about the country, and at length, after losing his goods by shipwreck, arrived at Plymouth in clothes borrowed from a charitable

1 Winslow in Young, p. 323. 2 Bradford, p. 114.

3 Standish's expedition is told by Winslow; Young, pp. 330–342; Bradford, p. 94.

squatter at Piscataqua. The forgiving kindness of the Plymouth settlers furnished Weston with a supply of beaver as a stock for trade. After this, we are told, he boasted with almost incredible baseness that the settlers had thereby put themselves in his power, since they had no right to dispose of the common goods.[1]

The Council for New England.

While a small and obscure band of persecuted fugitives were thus laying the foundation of a prosperous commonwealth, the Council for New England, strong in court favor and in the support of rich noblemen, could hardly be quickened into any show of activity by all the perseverance and energy of Gorges. The records of the Council from May, 1622, are extant, and show that, while little actually was done, elaborate schemes of colonization were entertained. While extensive and often self-contradictory grants of land were made to private adventurers, a territory of forty square miles was reserved for a public plantation and a site chosen for a city. Some of the entries show that a scheme was entertained for a plantation not unlike that which afterwards came into being in Carolina, but wholly unfitted for the climate and natural conditions of New England. Save six merchants, none were to be admitted to the Company but "persons of honor or gentlemen of blood."[2] At the same time poor children "not yet tainted with any villany" were to be sent out. This was to be done by arrangement with the Lord Mayor, and it was also proposed that the Lords-Lieutenant of the various shires should assist in exporting needy persons as settlers. By these means a colony was to be formed, consisting of "gentlemen to bear arms and attend upon the Governor, husbandmen, and handicraftsmen."

Practically, however, the Council contented itself with maintaining its monopoly of trade and fishing. In November, 1622, its authority in this matter was strengthened by a royal proclamation forbidding all persons to trade on the coast of New England or to have any dealings with the natives without license from the Council.[3] At the same time Francis West, better known in connection with Virginia, was sent out with a commission as admiral, or, in plainer language, as agent for the Company, to enforce the monopoly against fishermen and independent traders. In a few months

1 Bradford, p. 95.

2 All these proposals are recorded in the Minutes of the Council for New England, in *Colonial Papers*, May 31, 1622.

3 *Colonial Papers*, 1622, Nov. 6.

West returned, unable to cope with his lawless opponents.[1] His place was filled in the autumn of 1623, by Gorges' son Robert, who had just come back from serving the Venetian republic in its war with Austria.[2] He was sent out with a commission as Governor-general of the Company's territory. He was to be assisted by two persons appointed by the Council in England, by any others that he himself chose to nominate, and by the Governor of Plymouth for the time being.[3] The latter clause is of considerable importance, since it shows that the Council in England was willing to accept and recognize the Puritan settlement, and raises a presumption in their favor in those cases where they interfered with private and unauthorized traders. At the same time Robert Gorges held a patent for a territory of ten miles along the coast and thirty inland, granted in recompense for his father's exertions, to be held by a feudal tenure of armed service.[4] Thus Gorges was to be at once the territorial proprietor of a private plantation and the representative of the authority of the Council. The former part of the scheme came to nothing. As Governor his chief proceeding was to call Weston to account for his misdeeds. Besides his misconduct towards the Plymouth settlers, Weston had cheated the Council by obtaining a license to export cannon for purpose of defence and then selling them.[5] His offence was aggravated by his insolence to Gorges.[6] Weston would have been punished by the seizure and forfeiture of his ship but for the intercession of Bradford, who explained to Gorges that the loss would fall, not on Weston, but on those to whom he was responsible for the vessel, and whom, as it would seem, he had already defrauded.[7]

This assertion of authority by the Council was followed by the attack in the House of Commons, which so far succeeded as to have placed the patent on the list of grievances to be submitted to the Crown.[8] Although this came to nothing, and the formal authority of the Council was in no way curtailed, yet the practical result was to discourage subscribers, and damp the ardor of the leading men. Robert Gorges, disheartened by his want of success and by the news from England, left his plantation.[9] Among those who stayed behind was a scholarly clergyman, William Morrell, who embodied his recollections of the country in some fairly

1 Minutes of Council. Bradford, p. 100.
2 Gorges, p. 74.
3 Bradford, p. 104.
4 *Colonial Papers*, Dec. 30, 1622.
5 Bradford, p. 105.
6 *Ib.*
7 *Ib.* p. 106.
8 See above, p. 58.
9 Bradford, p. 107; Gorges, p. 74.

graceful, if commonplace verses, which by their smoothness contrast curiously with the harsh efforts of the Puritan muse.[1]

During the next five years several small independent settlements came into existence along the coast of New England. One of these deserves more than a passing notice, since it furnished the early history of New England with a singular and somewhat picturesque episode, and also incidentally throws light on the social condition of Virginia. In 1625 a Captain Wollaston, acting as head of a partnership, established a private plantation in Massachusetts Bay, a little to the north of the site occupied by Weston. The settlers seem to have been mainly indented servants. Wollaston quickly found that this system of industry was ill suited to the country. He broke up his plantation, transported the chief part of his servants to Virginia, and there sold them. The rest were left in charge of a deputy, who soon received orders from Wollaston to send some more of the servants to Virginia, and keep the rest on the plantation. Among Wollaston's partners was one Thomas Morton, a London attorney by profession, and in character a quick-witted, profligate adventurer, with a smattering of classical learning. He now persuaded the laborers who still remained on the plantation that it would be better to stay with him as independent settlers than to be transported and sold in Virginia. Accordingly, they drove out Wollaston's agent, renamed the plantation Merrymount, and changed it into a sort of trading station, where they dealt with the Indians, taught them to shoot game, and supported themselves in idle revelry on the proceeds. It is hardly needful to say that to the Plymouth Puritans the presence of such neighbors was an intolerable abomination. Happily, our knowledge of Morton's misdeeds at this time and afterwards is not derived exclusively from his enemies. He himself published a full account of his own conduct, written with that pedantic humor and cumbrous display of learning into which the ornate and versatile scholarship of the Elizabethan age so easily passed. Morton bespatters his Puritan enemies with abuse, some, it may be, well deserved, but makes no attempt to clear himself of the charges brought against him. The contrast between the two types of character, the ready, unscrupulous, profligate adventurer, and

Wollaston's settlement.[2]

[1] Morrell wrote both a Latin and an English version of his poem. They are in the Massachusetts Historical Society's Publications, 1st series, vol. i. p. 126.

[2] The whole of this business is told by Bradford, pp. 158–167.

the Puritan in whom thrifty tastes and religious discipline worked together, is a familiar one in fiction. It never stood out more forcibly on the stage than it did here in the real life of New England.

Just as the dealings of Weston with the Indians had made his plantation a serious source of danger, so was it now with Merrymount. Nor was this all. It also served as a refuge for discontented servants. The evil was not confined to Plymouth. There were now various small settlements, "scattering beginnings," as Bradford calls them,[1] along the coast of the bay. To them the Indians were even more formidable than to the compact and well-armed colony of Plymouth. They may not have shared the abhorrence which the Puritans felt for a community which called itself Merrymount, where people "frisked like fairies, or rather furies," round a maypole, and where ten pounds' worth of strong liquor had been drunk in one morning.[2] But a settlement which served as a magazine and school of musketry for the Indians was a danger to every fisherman or trader in the bay. Accordingly, in the summer of 1628 Morton was warned to abandon his evil courses. He disregarded the warning, and thereupon an armed party, raised by the various plantations and headed by Standish, marched against Merrymount.[3] They found Morton ready with firearms and barred doors. He seems, however, to have confined himself to a show of resistance, and was seized, brought to Plymouth, and thence sent to England in the custody of Oldham, now, as it would seem, reconciled to the settlers.[4] The Council for New England, with a lenity which the Plymouth chronicler naturally condemns, soon suffered Morton to return. Standish, or those by whose orders he acted, cannot be charged with undue severity, since they contented themselves with removing Morton and suffered his riotous followers to remain, and at a later day to become a fresh source of trouble.

Destruction of Merrymount.

The experience of the plantations attempted by Weston, Gorges, and Wollaston carried two lessons with it. It showed that the system of industry which was succeeding in Virginia was ill adapted to the soil and climate of New England. In the northern colony the husbandman could by hard labor wring from the soil subsistence for himself and his household. The profits of industry left no margin to support a class who enjoyed leisure.

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1 Bradford, p. 107.
2 *Ib.* p. 159.
3 Bradford's letter-book, p. 62.
4 Bradford, p. 162.

All beyond mere subsistence had to be got by some trade which required personal activity and intelligence.

Such episodes as the misconduct of Weston's settlers and of Morton, also showed the necessity for some uniform and comprehensive system of control. Without it every plantation along the coast of New England might be placed at the mercy of the Indians by the folly or greed of one unscrupulous trader. Morton was not the only offender of this kind. Bradford complains that the English fishermen sold arms and ammunition to the natives, so that the sight of a gun was no longer, as it had once been, a terror to them.[1] The royal proclamation of 1622 against irregular trade may have been intended for the special benefit of Gorges and his associates, but Bradford equally welcomes it as a boon to Plymouth.[2] It would even seem from his complaints that certain settlers at Pemaquid sold guns and powder to the French, which ultimately found their way to the natives.[3]

It might be urged, as it was by the opponents of the Plymouth Council in Parliament, that a great national industry like fishing ought not to be placed under the control of a small band of court favorites. But if there was an error it lay, not in the existence of the authority, but in the fact that it was misplaced and exercised with feeble purpose and for selfish aims.

Meanwhile the settlements which afterwards grew into Maine and New Hampshire were being formed near the mouth of the Piscataqua. These will be best dealt with as a separate part of our subject. Moreover, a few scattered settlers had established themselves in Massachusetts Bay. Of these by far the most important was Samuel Maverick. A New England writer of a later day described him as "strong for the lordly prelatical power," and when circumstances placed him under the dominion of the Massachusetts government his principles kept him outside the pale of citizenship, and more than once brought him into conflict with public authority and opinion. But though Maverick can have had little sympathy with the inhabitants of Plymouth, his settlement was not without its value to them. He appears, from his own account, to have formed a private plantation with his own dependents.[4] The site of it seems to have been a few miles due north of what was afterwards Charlestown. It was palisadoed and defended with cannon, and, if we may

Maverick's settlement.

1 Bradford, p. 158. 2 *Ib.* 3 *Ib.* p. 210.
4 Maverick, *Description of New England*, p. 13.

believe Maverick himself, the terror which it struck into the natives had a large share in keeping them from any attack on the English.

Another settlement of the same kind was formed at the mouth of the Piscataqua, by a company of three Plymouth merchants. They, too, Maverick tells us, "were a terror to the Indians, who were at that time insulting over the poor, weak, and unfurnished planters at Plymouth."[1] Besides checking the Indians the settlers at Piscataqua did good service to Plymouth in contributing to the cost of the expedition against Morton.[2] Bradford also tells us how the manager of the plantation, David Thompson, formed a temporary partnership with the Plymouth settlers in the Indian trade.[3] Within five or six years of his settlement at Piscataqua Thompson left the service of his employers, and set up, as it would seem, a private settlement on an island in Massachusetts Bay.

Plantation at Piscataqua.

The list of those who bore a share in the overthrow of Merrymount shows the existence of six other separate settlements. Of these one, occupied by William Blackstone, was on the site of Boston, and was vacated by the owner in favor of the Massachusetts Company. Tradition ascribes to Blackstone the saying that, having come from England to escape the lord bishops, he would not submit to the lord brethren.[4] Whether this story is true or not, it is at least significant of the position of these independent settlers. We may be sure that, if they had any sympathy with Puritanism, they would not have remained exposed to the risks and discomforts of isolation. As time went on, and as New England became a settled country, their position became untenable. Of the outlying plantations, those north of the Merrimac formed the germ of Maine and New Hampshire, those south were swallowed up by the Puritan colony of Massachusetts.

William Blackstone.

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1 *Description of New England*, p. 10. Christopher Levett, in his *Voyage to New England*, says that he spent a month "at Pannaway, where one Mr. Tomson hath made a plantation." Mr. Deane, in the *Proceedings of the Massachusetts Historical Society for* 1876 (p. 69), suggests that "Pannaway" may be a misprint for Piscataqua, or a clerical error made by Levett himself in copying his journal. The last theory seems to me to be a very probable one. Levett visited New England in 1623. His own doings there will come before us later, forming part of the early history of New Hampshire. Winslow, also writing in 1624, refers to Thompson's settlement at Piscataqua (Young, p. 350).

2 See list of contributors in Bradford's letter-book, p. 63.

3 Bradford, p. 141.

4 This speech of Blackstone is quoted by Mr. Young (*Chronicles of Massachusetts*, p. 170), on the authority of Cotton Mather. I have not been able to find the original reference in that writer. I find the words ascribed to Blackstone in a tract entitled *An Account of Providence* published in the *Massachusetts Historical Collection*, 2nd series, vol. ix. p. 166, and ascribed to Stephen Hopkins, governor of Rhode Island from 1737 to 1766.

CHAPTER III.

THE SETTLEMENT OF MASSACHUSETTS.[1]

In the last chapter I spoke of various scattered plantations which sprang up in the neighborhood of Plymouth between 1620 and

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1 Nearly all the writings which bear on the early history of Massachusetts have been collected by Mr. Young in a volume called *Chronicles of Massachusetts*, a companion to that for Plymouth, to which I have already referred. The book consists of letters which passed between leading members of the Massachusetts Company, the records of the Company, so far as they are extant, one or two pamphlets, and a sort of chronicle entitled *Records of Charlestown*, taken in the year 1664 from the town archives. The records of the Company are also published in the third volume of the *Archæologia Americana*, with a very full introduction by Mr. Haven, containing biographical notices of all the members of the Company. The records of the colony down to 1680 have been collected and edited in a very complete form by Mr. Shurtleff. Of the chronicles and biographies from which our knowledge of New England history is so largely drawn I shall have occasion to speak in my text. By far the most valuable of them is Winthrop's *History of New England*. It is cast into the form of a diary or chronicle. This work, like Bradford's *History of Plymouth*, remained in manuscript for many years. In 1790 it was printed at Hartford. A new edition, with very valuable biographical notes, was published by Mr. Savage in 1825. This was re-edited, with further additions, in 1853. It is to this edition that I refer. A life of Winthrop, by his descendant, Mr. Robert C. Winthrop, appeared in 1869. In addition to its literary merit and conspicuous accuracy it has value as containing several of Winthrop's letters and manuscripts hitherto unpublished.

Of the early New England writers two deserve special notice. One is William Wood, the author of *New England's Prospect*, published in 1634. The writer was evidently an ardent believer in colonization and keenly interested in America. But it is also clear that he had no special sympathy with the founders of Massachusetts, either on religious or political grounds. His book cannot be better described than in the words of the title-page, *A true, lively, and experimental description of that part of America commonly called New England, both as it stands to our new-come English planters and to the old native inhabitants.* Mr. Young has embodied a part of the book in his collection. The whole has been republished by the Prince Society, with a short preface by Mr. Charles Deane.

The other is that singular work, *The Wonder-working Providence of Sion's Saviour in New England*. This was published anonymously, but the authorship has been universally ascribed to Captain Edward Johnson, of Woburn, in Massachusetts. It was originally printed in London in 1654, with the second title of *A History of New England from the English Planting in the yeere* 1628 *until the yeere* 1652. Five years later it was shamelessly pirated and published without acknowledgment by Ferdinando Gorges, grandson of Sir Ferdinando, in a collection of pamphlets entitled *America Painted to the Life*. Since then it has been reprinted twice, firstly in the second series of the *Massachusetts Historical Society's Collection*, and then with a very careful and elaborate preface by Mr. W. F. Poole. Mr. Poole has gone very fully into the questions arising out of the authorship of this book. I shall have

1630. In addition to those mentioned, there was one destined to have a far more lasting influence, and to serve in some measure as the foundation on which the greatest of the Puritan colonies was built.

The Dorchester Adventurers.[1]

In 1623 a small private company of merchants, all or most of them inhabitants of Dorchester, who had been accustomed to send fishing vessels every year to the coast near the Kennebec, bethought them of establishing a permanent station to help them in loading their vessels and in getting supplies for the crews. There was something of a spiritual purpose in the undertaking at the outset, since one of the objects was to maintain a minister for the fishermen along the coast, who during their stay there were wholly without religious teaching.

In 1623 the partners sent out a ship of fifty tons. By some mishap she was delayed in sailing, and did not reach the coast till six weeks after the opening of the regular fishing season. The master, thinking probably that it was too late to begin, turned southwards, and, finding the fishing in Massachusetts Bay good, landed fourteen men to form a settlement at Cape Ann.

Fishing station at Cape Ann.

The territory thus occupied was subject to a complicated tenure. Originally granted by the Plymouth council to the Earl of Sheffield, it had been by him assigned to some of the Plymouth adventurers, who in turn had admitted the Dorchester merchants, either as tenants or in some kind of partnership.[2] It is not easy to

more to say of it when I come to deal with the literature of New England. Both Wood and Johnson are very fully criticised by Mr. Tyler in his *History of American Literature*.

The fourth and fifth series of the *Massachusetts Historical Society's Collection* contain a number of letters written by or to leading men in New England during the seventeenth century. These are a mine of valuable information.

Of later authorities the principal is Hutchinson's *History of Massachusetts*. The writer was Lieutenant-Governor of Massachusetts from 1758 to 1771, and Governor from 1771. In 1774 he was virtually superseded by General Gage, and never after exercised any authority in the colony. In 1764 he published a history of the colony from its foundation. His work is clear and methodical, and he had access to many valuable documents. Hubbard's *History of New England* is seldom more than a reproduction of Winthrop and Morton. Here and there it preserves valuable scraps of information, probably derived from Conant, who was personally known to Hubbard. The book remained in manuscript till 1815, when it was printed as the fifth and sixth volumes of the second series of the *Massachusetts Historical Collection*.

1 The doings of the Dorchester Adventurers are related in John White's *Brief Relation of the Occasion of the Planting of this Colony* (Young, *M. C.*).

2 The original grant of Cape Ann by Lord Sheffield to Cushman and Winslow, as representatives of the Plymouth colonists, is still extant, and has been printed in America with a preface by Mr. Wingate Thornton (Palfrey, vol. i. p. 222). Smith (*Gen. Hist.* p. 703) says, "At Cape Ann there is a plantation beginning by the Dorchester men which they hold of those of New Plymouth, who also by them have set up a fishing work." Bradford, pp. 160, 168.

make out the exact relationship between the parties; but we can at least see that each had an interest in the fisheries at Cape Ann, and that the arrangement was unsatisfactory to the men of Plymouth. In 1625 a dispute arose over a fishing stage, built by the Plymouth settlers, and used in their absence by a certain Hewes, who was acting for the Dorchester partners. Standish was sent in behalf of Plymouth to protest against this intrusion. The rival claimants would have come to blows if it had not been for the good offices of Roger Conant, an independent settler, who had at one time lived at Plymouth, but had withdrawn "out of dislike of their principles of rigid separation." He succeeded in arranging a compromise by inducing Hewes and his party to build a fresh stage.[1] About the same time Conant was appointed by the Dorchester partners as their manager. Lyford was associated with him as minister of the settlement, and Oldham was invited to join them as trading agent, but preferred to be independent.[2] The silence of the Plymouth chroniclers may be taken as evidence of the good character of Conant, but the presence of Lyford and and Oldham could not fail to beget unfriendly relations between Plymouth and the new settlement.

In 1626, after three years' trial, the Dorchester adventurers came to the conclusion that their settlement was an unprofitable undertaking. The partnership was dissolved, and the shipping and stock-in-trade sold. Most of the settlers returned, and Conant was left with the cattle and with three servants whom he with difficulty persuaded to stay. Since the fishery was abandoned there was no motive for remaining on the exposed promontory of Cape Ann. Accordingly, Conant withdrew south to the safer harborage of Naumkeag, or, as it was soon afterwards named, Salem.[3]

The Dorchester adventurers had abandoned their undertaking as unprofitable. One of them, however, saw in the very failure the opportunity for a scheme of colonization far more important

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1 This is told by Hubbard (p. 111). His point of view is peculiar. "Captain Standish," he says, "had been a soldier in the Low Countries and had never entered the school of our Saviour Christ, or of John the Baptist, His harbinger, or, if he was ever there, had forgot his first lessons, to offer violence to no man, and to part with the cloak rather than needlessly contend for the coat, though taken away without order." Massachusetts showed but little respect for that "lesson" in her dealings with her neighbors, though she gave them ample opportunities for practising it themselves.

2 Hubbard, p. 107.

3 Conant's proceedings are told by Hubbard, pp. 107, 108. For the naming of Salem, see Young, *M. C.*, p. 23.

than that which his partners had originally designed. The first project of the commonwealth of Massachusetts has been commonly ascribed to John White, the Puritan rector of Dorchester. There is yet extant a pamphlet on the subject ascribed to him. From this, taken in conjunction with two works of similar character written about the same time, we may form a clear idea of the schemes entertained by the founders of Massachusetts and of the hopes which they held out to their followers. One of them, a letter from one Sanders to Secretary Coke, is preserved in manuscript among the public records.[1] Its character is somewhat commonplace, and there is no special appeal to Puritan principles, though there is a liberal use of Scriptural language. The writer puts forward much the same arguments as those which had been urged for the settlement of Virginia. He dwells on the importance of converting the heathen, and still more on the necessity for finding a vent for surplus population, and remedying the distress caused by those "depopulators and wasters" who had turned large tracts of tillage into pasture. The other pamphlets, which are both extant in print, are in every way more remarkable. One of them, *The Planters' Plea*, published in 1630, is anonymous. The other, entitled *General Considerations for Planting New England*, was written in the previous year. The authorship of it has been ascribed to White and also to John Winthrop, the first Governor of Massachusetts.[2] Both these pamphlets repeat the economical arguments for colonization, but do not rely mainly on them. Both protest emphatically against the error of supposing that the refuse population is good enough material for emigration. "It seems to be a common and gross error that colonies ought to be emunctories or sinckes of states, to drayne away their filth."[3] White, in the same spirit, and probably with a recollection of the unruly followers of Smith and Delaware, says that other plantations failed because "they used too unfit instruments, a multitude of rude ungovernable persons,

John White and his designs.

1 *Colonial Papers*, 1630.

2 Both these are given by Mr. Young. *The Planters' Plea* is also in Force's Collection, vol. ii. More than one draft of the *Considerations* is extant. One copy is in the Record Office in manuscript, with the endorsement, "White of Dorchester, his instructions for the plantation of New England." The endorsement seems to be in the same handwriting as the document itself. Another was found by Winthrop's biographer among the family papers. A third, differing in some details from both of these, is printed in the Hutchinson Collection. The whole question of the authority is discussed by Mr. Winthrop in the *Life*. I cannot regard his arguments for ascribing it to his ancestor as conclusive.

3 *Planters' Plea*, p. 19.

the very scum of the land." Both touch on the prospects of conversion among the Indians, but somewhat formally and with little real enthusiasm. In one important respect they differ. The author of the *Plea* disclaims any project of constituting a community of Separatists, and dwells strongly on the distinction between those who seceded from the Church and those who still remained members of it, although they refused to conform to all its usages. He is evidently anxious to allay any suspicion on this head, and pleads that the neglect of Church ordinances and the choice of Nonconformist ministers were due to the exigencies of colonial life. White, if White really be the author of the other pamphlet, is more clear-sighted or more outspoken. He begins by avowing that the purpose of those who are founding the new settlement is to "raise a bulwark against the kingdom of Antichrist, which the Jesuits labor to rear up in all quarters of the world." But the most significant passage is one in which he warns his countrymen to learn wisdom from the woful spectacle of the ruin which befell the Protestants of the Palatinate and Rochelle, and "to avoid the plague while it is foreseen, and not to tarry as they did till it overtook them." We may take in connection with this a somewhat remarkable passage in the writings of Gorges. He tells us that the Puritans had now lost all hope of reformation of Church government, and that consequently "some of the discreeter sort, to avoid what they found themselves subject unto, made use of their friends to procure from the council for the affairs of New England to settle a colony within their limits." No man was more keenly alive than Gorges to everything which bore on the colonization of New England, and we may accept him and White as trustworthy witnesses for the definite and well-considered purpose which animated the founders of Massachusetts. In England the cause of Episcopacy seemed irresistibly triumphant; the last hope of the Puritan party lay in the establishment of a refuge beyond the Atlantic, and Plymouth furnished an encouraging example. What the humble fugitives from Scrooby had begun on a small scale, a community of wealthy merchants and gentry might carry out with far greater success.

Nor were religious motives the only ones which might urge thoughtful men to look for a refuge beyond the ocean. In State as in Church the sky was black with the signs of coming evil. It was not merely that the liberties of Englishmen seemed in danger, and that assertions of the royal authority, which the nation had

reluctantly forgiven to the necessities of the time and to the vigor of the Tudor monarchs, could not be brooked from weaker hands. The evil lay deeper. Not merely were the forms of political life broken through, but thoughtful men must have begun to feel that those forms, even if restored and observed, could not meet the wants of the nation. The political needs of the community seemed to have overthrown the machinery which had once satisfied them. The despair of Falkland was the despair, not of weakness, but of too clear a vision. If Strafford was willing to become the framer and defender of arbitrary government, it was because he saw more surely than others that the issue lay between despotism and revolution. When Winthrop and his followers sailed, the storm had not yet broken, but the first warning sounds were heard. Well might Englishmen long for a refuge where they might preserve these constitutional forms whose day seemed in England to have passed away, and that political freedom which at home, if saved at all, could be saved only by the sword.

The first step towards fulfilling these schemes was to procure a home for the new commonwealth. This was done by an agreement with the New England council, which transferred to six grantees all the territory from the Merrimac on the north to a point three miles south of the Charles river. The tract thus granted had a deeply indented seaboard of about forty-five miles in length, and, as usual, its extension inland was unlimited. Owing to the confused and reckless fashion in which the New England council dealt with its territory, there were already claims to it under previous grants.

The first Massachusetts patent.[1]

The general history of these will come before us again. For the present it is only necessary to consider them so far as they bore upon the Massachusetts patent. In August, 1622, Gorges and John Mason obtained a grant of all the land between the rivers Kennebec and Merrimac.[2] Later in the same year Robert Gorges obtained a grant of "all that part of the mainland in New England commonly called Messachustack, situate on the north-east side of Messachusetts Bay."[3] The grant to the Dorchester associates encroached on the former grant, and swallowed up the latter. The difficulty with Mason was got over, as it would seem, by a compromise, by which the land in dispute was divided, and the boundary fixed at the

Disputes with Mason and Gorges.

1 *Colonial Papers*, 1628, March 19.
2 *Ib.* 1622, Aug. 10.
3 *Colonial Papers*, 1622, Dec. 30.

Merrimac.[1] If this were so, there must have been, between 1622 and 1629, some partition of land not recorded between Gorges and Mason, since it is nowhere said that the former was a party to the arrangement with the Massachusetts Company. It is certain that Mason obtained in 1629 a grant for the land between the Piscataqua and the Merrimac, in all likelihood as a formal ratification of the compromise.[2] The claims of Robert Gorges caused more trouble. His death had vested his rights either in his brother John or in his father.[3] In either case we may be sure that the active support of the claims would fall to the share of Sir Ferdinando. According to his own account, he, as one of the council for New England, only sanctioned the grant to Cradock and his partners on the understanding that it should not interfere with the grant of 1623 to his son.[4] That limitation was never recognized by the Massachusetts Company, and the conflict of claims was in all likelihood the original cause of a feud which left abiding traces in colonial history.

Of the six grantees two only, Humphrey and Endicott, play any part in later New England history. The former had already been treasurer of the fishing company at Cape Ann, and he subsequently held office under the Massachusetts Company both in England and in the colony itself.[5] John Endicott at once took a prominent place in the new undertaking, and to the end of his life he stood in the foremost rank of New England statesmen, figuring at every stage as the embodiment of all that was narrowest and sternest in Puritanism.

The patentees.

For the present this grant did no more than establish a private partnership. The partners might entertain and acknowledge among themselves political designs, but in the eyes of the world there was nothing to distinguish their scheme from those of Gorges or Weston.

Endicott sent out.

In the face of the grant to Robert Gorges it was clear that the title of the Company to its newly acquired lands might at any

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1 This is mentioned by Hubbard (p. 226). Apparently the original documentary authority for it is the report of the commissioners sent out by Charles the Second (*Colonial Papers*, 1665, Dec. 14). Jocelyn is there given as the authority for it. Jocelyn, who will often come before us, was a leading man in Maine, and no friend to Massachusetts.

2 *Colonial Papers*, 1629, Nov. 7.

3 This is stated by Mr. Adams in his preface to the *New English Canaan*, by Mr. Haven (*Arch. Am.* vol. iii. p. xliv.), and by Mr. Young (*M. C.*, p. 170). None of them give an authority, and I cannot find one. Yet all three writers are so habitually trustworthy that I venture to accept the statement.

4 Gorges, p. 80.

5 Mr. Haven in *Arch. Am.* vol. iii. p. 50.

time be challenged. Measures were at once taken to meet this danger. Endicott was sent out with sixty men to make good his claim by occupation. The small station at Salem, which had been strengthened in the previous year by the exportation of twelve cattle,[1] served as a nucleus for the new settlement, and Endicott was sent out with men enough to bring the total number up to sixty.[2] If any specific instructions were given to Endicott they are no longer extant, nor is there anything to show how far the little community was entrusted with the management of its own affairs. Later documents suggest that Endicott's chief mission was to make preparations for a further instalment of settlers, and to send home a sample of what the country could produce. He was to ship a freight of beaver skins and fish, or, failing those, of timber, with specimens of any herbs that might be useful as dyes or for medicine.[3] A very full inventory is extant of the goods with which he was supplied, and the entry of five hundred red caps makes one suppose that some trade with the natives was intended, though no undertaking of the kind is recorded.[4]

The new-comers seem to have been at first ill received. This was in all likelihood due to the influence of Morton, who, through the leniency or unscrupulousness of Allerton, had now returned to New England.[5] His own account of the matter is too confused and metaphorical to be of much value.[6] He seems to have objected, firstly to Endicott's claim of civil authority, and then to his attempt to enforce a system of joint trade. On the latter point he apparently gained his way. He tells with satisfaction how he made "six or seven for one," while the trade of the Company under "Captain Littleworth," as he calls Endicott, only brought loss. On this he founds an accusation of dishonesty against Endicott; but if Morton sold ammunition and spirits to the natives without scruple, the matter is easily explained.

Trouble with Morton.

The dispute with the old settlers was settled, we are expressly told, by the moderation and forbearance of Conant, who thus for the second time played the part of a peacemaker.[7] For the present Morton himself escaped punishment. But Merrymount was

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1 *Planters' Plea*, p. 43.
2 *Ib.*
3 Letter from Cradock to Endicott (*Arch. Am.* vol. iii. p. 8).
4 *Ib.* p. 6.
5 Bradford, p. 267.
6 *New English Canaan*, bk. iii. ch. 21.
7 Hubbard, p. 209.

no longer suffered to be a school of riot and debauchery. Morton's associates there had been guilty of that crowning outrage on Puritan decency, the setting up of a maypole. Endicott hewed down the *infidus arbor*, branded the seat of iniquity with the name of Mount Dagon, and solemnly admonished its occupants "to look that there should be better walking."[1]

Meanwhile the partners in England were taking steps to strengthen their legal position. The six original patentees admitted more persons into their partnership. This change was accompanied by one still more serious. The promoters of the colony were no longer content to be a mere private company for trade. The authority of the Crown was to be called in to make good any flaw which might exist in their territorial title. In March, 1629, a royal charter was obtained, constituting a legal corporation, under the title of the Governor and Company of the Massachusetts Bay in New England.[2] This corporation were to elect annually a Governor, Deputy Governor, and eighteen Assistants, who were to hold monthly meetings.

A royal charter obtained.

The appointment of eighteen Assistants shows that the Company was to be enlarged considerably beyond its present numbers. General meetings were to be held four times a year. The members had power to elect necessary officers and to defend their own territory by force against invasion or attack. The Governor and Assistants might, if they thought fit, administer the oaths of allegiance and supremacy to members of the Company. It is not unlikely that this clause may have been inserted to meet the difficulty which had lately arisen in the case of Lord Baltimore, owing to the absence of any such provision in the Virginia charter.[3]

In anticipation of a future want the grantees resisted the insertion of any condition which should fix the government of the Company in England. Winthrop explicitly states that the advisers of the Crown had originally imposed such a condition, but that the patentees succeeded, not without difficulty, in freeing themselves from it.[4] That fact is a full answer to those who hold

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1 Bradford, p. 160.

2 The charter is in the *Colonial Papers*. It is also given in Hazard's *Collections*, vol. i. p. 290.

3 See *Virginia*, etc., p. 277.

4 This is stated by Winthrop in a pamphlet written in 1644 and published in an appendix to his life, vol. ii. p. 443.

that in transferring the government to America the patentees broke faith with the Crown.[1]

The records of this corporation supply us with ample information as to the measures taken in establishing the new colony.

Proceedings of the Company.

The first Governor elected was Matthew Cradock, of whom little is known, save that he was a member of the Long Parliament. He does not appear to have even visited New England, and he soon steps aside to make way for more active, if not more zealous, promoters of the colony. Of the Assistants, the most important was Sir Richard Saltonstall. His stay in the colony only extended over one year, but during that time he seems to have taken a leading part in public affairs, and he became the founder of an important New England family.[2] One of the first steps taken by the newly organized Company was to establish a government resident in the colony. This was to consist of a Governor, a Deputy-Governor, and twelve councilors, or, as they are usually called afterwards, Assistants. Of these, seven were to be named by the Company, three more chosen by these seven and the Governor, and the remaining three appointed by the "old planters," that is to say, by those independent settlers whom Endicott had found already established on the territory of the Company under grants from the council of New England. The Governor, Deputy-Governor, and Council were empowered to appoint minor officers and to enact such laws as they might deem needful for the colony, with the customary reservation that they were not to be at variance with the laws of the realm.[3] It is worth noticing that the local government thus established is formally styled an absolute government, and that no provision is made for any control to be exercised by the Company, either over legislation or over the appointment of officers. It would seem as though the functions of the Company were to be confined to managing the trade and the material welfare of the settlement. Indeed, one may believe that when these provisions were framed

1 The most noteworthy upholder of this view is the late Mr. Oliver, in that remarkable book, *The Puritan Commonwealth*, published in 1856. Mr. Oliver was a Boston lawyer, and a zealous churchman. Provoked by the extravagant and unreasonable praise so often bestowed on the founders of Massachusetts, he has subjected their actions to a merciless scrutiny, always acute, and sometimes just, but more often carried out in the spirit of a party advocate. His work is of no small value to the student of New England history as the pleading of an *advocatus diaboli*, and as a set off against the too frequent adulations of American writers.

2 Mr. Haven gives short biographical sketches of Cradock and Saltonstall (*Arch. Am.* vol. iii. pp. 56, 66).

3 Young, *M. C.*, p. 192.

some at least of the members must have contemplated the coming change, whereb the Company ceased to exist as a separate corporation and became merged in the legislature of the colony.

Land was allotted on a system like that adopted by the Virginia Company. Each shareholder was to have two hundred acres for every fifty pounds that he had invested. If he settled in the colony he was to have fifty more for himself and fifty for each member of his family. Emigrants who were not shareholders were to have an allotment of fifty acres, with the same quantity for each servant exported. The Governor and Council had also power to grant a further quantity to such emigrants "according to their charge and quality." A proposal was made and favorably entertained that all land granted to those who were not shareholders should be burdened with certain hereditary services, but this scheme fell to the ground.[1]

System of land tenure.

At the same time provisions were made for the spiritual needs of the settlers. Early in 1629 three ministers were engaged. One of them, Francis Higginson, had been a beneficed clergyman of the Church of England, but had either resigned his living or been deprived for nonconformity. After this he had held one of those lectureships which the Puritan party maintained by voluntary contributions. He may be looked on as the earliest of those New England divines who were men of letters as well, and to whose writings we owe a large share of our knowledge of the secular affairs of the colony. His accounts of his voyage and of the fertility and wholesomeness of his new abode are graphic and at times picturesque, and he was probably one of those who were charged with having sent home "too large commendations of the country," and thereby prepared the way for much disappointment.[2] Of the two other ministers engaged, Bright and Skelton, we know less. They were both graduates of Cambridge, but there is nothing to show that they were in holy orders. The agreement with the three ministers is extant.[3] Each was to be sent out free of cost, with the right of a passage back at the expiration of three years. A house and an hundred acres of freehold were to be given to each, with two cows, whose

Ministers engaged.

1 The scheme for tenures by service is proposed in the instructions to Endicott (*Arch. Am.* vol. iii. p. 104).

2 Dudley, in his letter to the Countess of Lincoln (Young, *M. C.*, p. 310), makes this complaint. Higginson's journal of his voyage, and a pamphlet by him entitled *New England's Plantation*, are in Young, *M. C.*, pp. 213, 229. The latter is also published in Force, vol. i.

3 Young, *M. C.*, p. 205.

produce was to be shared by rather a complicated arrangement between the ministers and the Company. In the event of their staying seven years another hundred acres was to be allotted to them. Higginson and Skelton each ended their days in Massachusetts after a short sojourn there. Bright was one of those who turned back, disheartened, as it would seem, by the difficulties of colonial life.[1] A fourth minister, Ralph Smith, also went out, not apparently by agreement, but as a volunteer. He differed from the other three in that he was a Separatist, they only Nonconformists. He soon became dissatisfied with the colony, and wandered about in great difficulty and want, till at length he found a flock more akin to him in opinions at Plymouth.[2] The fleet of ships which took out the ministers also carried out some three hundred and fifty emigrants, with a large supply of live stock, a matter in which the colony was well provided from the outset.[3]

Endicott's instructions.

At the same time the Company sent a letter to Endicott[4] with a copy of the charter, followed in the next month by further supplementary instructions. A considerable part of these is occupied with advice about trade, and with provisions for carrying out the system of land tenure already described. Nothing is said about the conversion of the natives; indeed the instructions concerning them rather prohibit any attempts in that direction. "For avoiding the hurt that may follow through much familiarity with them," they are to be suffered to visit the colony only at certain specified times and places. All the settlers are to be trained in the use of arms, and regular musters are to be held. At the same time strict justice is to be observed in all dealings with the savages, and if their territorial rights are infringed they are to receive compensation. They are also to be guarded against the evils resulting from the introduction of spirits. The credit due to the Company for this precaution is somewhat lessened when we read that "there is much strong waters sent for sale," and that the purchase of drink

1 Dudley's letter, p. 316.

2 Bradford, p. 172. The Company in their instructions to Endicott (p. 151) say, "Mr. Ralph Smith, a minister, hath desired passage in our ships."

3 Smith distinctly says six ships and three hundred and fifty emigrants. See his *Advertisements for the Unexperienced, or the Pathway to erect a Plantation* (Works, p. 949). This was his last published writing, and appeared in 1630. The Company's archives confirm this. Higginson, strangely enough, says five ships, and does not mention the number of emigrants.

4 *Arch. Am.* vol. iii. pp. 79, 96.

by the savages is not to be forbidden, but only "so ordered as that the savages may not, for our lucre's sake, be reduced to the excessive use, or rather abuse, of it."

One of the most important points dealt with in Endicott's instructions was his treatment of the old planters. It was but natural that they resented the suddenly imposed control of a body in whose constitution and administration they had no share. Endicott was instructed to conciliate them by giving them the freedom of the Company, with all rights of trade belonging thereto, confirming them in their holdings, and supplementing these with grants of land at his own discretion. Another difficulty lay in the fact that these old planters had been in the habit of growing tobacco. The members of the Company had wholly set their faces against this form of industry, seeing, no doubt, that it was incompatible with those social and economical arrangements at which they aimed. The old planters, however, were allowed to continue tobacco culture if they pleased. At the same time the Company did its best to dissuade them by pointing out the unprofitable nature of the crop, while all other settlers were forbidden either to grow, sell, or use it.

In addition to the growth of tobacco the Company found it necessary to prohibit the sale of guns and ammunition to the Indians. This prohibition was probably aimed rather at traders and captains of fishing vessels than at permanent settlers.[1] The conduct of Morton too, as reported by Endicott, may have helped to bring about this measure. In any case it illustrates the difficulties of the Company in dealing with a country which was already in part settled.

Setting aside Morton, the only one of the old planters who seems to have caused the Company any serious trouble was Oldham. He had obtained rights over a portion of the soil as a subtenant of Robert Gorges.[2] The archives of the Company contain several references to disputes with him, but do not give us sufficient material for fully understanding them.[3] It is clear that the difficulty was due partly to the uncompromising tenacity with which Oldham upheld his rights, partly to his sanguine and speculative disposition. At one time he seems to have sought for employment as a factor or trading agent for the Company, for

1 Dudley in his letter says that the factors employed in the beaver trade by merchants from Bristol and elsewhere were special offenders (Young, *M. C.*, p. 309).

2 For this grant see the Company's Records (*Arch. Am.*, vol. iii. p. 95).

3 *Ib.* pp. 15, 22, 31.

which post he was, after much consideration, pronounced unfit. Then he tried to establish a private partnership with a monopoly of the beaver trade. Endicott was instructed to prevent this, and also to establish a settlement in Massachusetts Bay, near the present site of Boston, by way of making good his footing there against Oldham. How Oldham's claims were disposed of does not appear, but his later relations to the government of Massachusetts show that peace was established between them.

Strict discipline enforced.

The servants sent out at the Company's expense were subjected to a rigid system of discipline. They were to be divided into groups, or, as they were called, families. Every family was to be placed under a head, either a minister or a layman, chosen for his moral and religious fitness and for knowledge of some trade. Each of these overseers was to keep a register of the work done by those under him, and these registers were to be sent in to the Governor and forwarded to the Company in England. Industry was to be enforced, not merely on the servants of the Company, but on all the settlers.[1] "No idle drone" is to be permitted to live in the settlement.[2] "For the better governing and ordering" of the settlers, and especially to check indolence, a house of correction is to be built.[3]

Ecclesiastical settlement.

At the same time the ecclesiastical organization of the settlement was effected. The ease and rapidity with which this was carried out shows how slight was the difference between Puritanism within the Church and Congregationalism, and how readily the former passed into the latter when circumstances favored the change. The founders of the colony had not as yet avowed themselves hostile to the Church of England, and of the four ministers taken out, only one, as we have seen, was a Separatist. But the whole party, laymen and clergy alike, were bound to the Church only by expediency and not by any real loyalty. In their new home all motive for compromise was at end. If an example had been needed one was furnished by the neighboring colony of Plymouth. Before the ministers arrived one Fuller, a surgeon and an Elder in the Plymouth church, had visited Salem, and had given Endicott advice concerning the religious constitution of his settlement. Accordingly, as soon as the ministers landed, Higginson and Skelton were elected to the offices of pastor and teacher respectively. Each then in turn ordained the other by laying hands on him. A church covenant, that is,

1 *Arch. Am.* p. 99. 2 *Ib.* vol. iii. p. 105. 3 *Ib.* p. 99.

we may suppose, a system of faith and discipline, was then drawn up by Higginson, and accepted by thirty of the settlers. Elders were appointed, and the ceremony of ordination apparently repeated by them.[1] Bradford and some of the chief men from Plymouth set forth to attend this ceremony, but from contrary winds arrived too late.[2]

The first effect of this step was to reveal rather than to create disunion in the colony. Two brothers, John and Samuel Browne, members of the Council and highly esteemed by the leading men of the Company, were dissatisfied with the ministers for not using the Book of Common Prayer and for neglecting the ceremonies of the Church of England. Accordingly, they drew together a congregation of those who thought with them, and read the service from the Prayer Book. For this they were summoned before the Governor and Council. The Brownes then charged the ministers with being Separatists, and foretold that they would become Anabaptists. After some further dispute Endicott told them that New England was no fit place for such as they were, and sent them home. They demanded compensation from the Company, and the matter was referred to a committee, containing amongst its members four nominated by the Brownes themselves. Beyond that point we have no account of the dispute.

Expulsion of the Brownes.[3]

The feature of the case least to the credit of the Company is an entry in the records to the effect that certain letters, written by the Brownes to their friends in England, were to be detained and read, and might be used against their authors if occasion offered. But the substantial justice of a measure is a different matter from the propriety of each detail. On the face of it, no doubt, there is something repulsive in the spectacle of those who had just been suffering from persecution, becoming, at least in outward appearance, persecutors in turn. The later history of New England will furnish examples of ecclesiastical tyranny which leave no room for extenuation. But the banishment of the Brownes differed widely in detail if not in principle from the persecution of the Antinomians and the Quakers. Again, expulsion from an old-established

1 The whole of this proceeding is described by Bradford (p. 173).

2 This is stated by Morton (*New England's Memorial*, p. 99).

3 Endicott's dealings with the Brownes are told by Morton (p. 100). Bradford does not mention it, nor does it appear whence Morton derives his account. We have also various entries in the records, and a letter from the Assistants in England to the ministers on the subject. It is clear from this letter that the Assistants rather feared the indiscreet zeal of those in the colony.

society and exclusion from a newly-formed one are two widely different things. In the latter case the penalty to the individual is far less, the need of the community for protection far greater. Endicott and his council might reasonably plead that the colony was a partnership formed for special objects, and that it would be folly to suffer men among them who were avowedly hostile to those objects. If there were a fault, it lay not so much in the expulsion of the Brownes as in the somewhat Jesuitical policy which up to that time had disguised the intentions of the Company. If the colony was to become what its promoters intended, unity, not merely of religious belief, but of ritual and of ecclesiastical discipline, was, at least for the present, a needful condition of existence. We must not condemn the banishment of the Brownes unless we are prepared to say that it would have been better for the world if the Puritan colony of Massachusetts had never existed.

This measure showed that Massachusetts was to be an exclusively Puritan settlement. The next step was a declaration that it was to be as far as possible an independent commonwealth. On the twenty-eighth of July Cradock laid before the Assistants a proposal for transferring the government of the plantation to those in America, instead of keeping it subordinate to the Company in England. No vote was then taken, but the members present were instructed to consider the matter "privately and secretly," and to report their views in writing at the next meeting. Before that meeting twelve of the more influential members bound themselves by a written agreement to emigrate with their families if the transfer of the government could be effected.[2] On the twenty-ninth of August the question was formally proposed and the measure carried. At first it was intended that this change should only apply to the government of the colony, and not to the commercial management of the Company. As expressed in the minutes of the Company, "the government of persons was to be held there, the government of trade and merchandises to be here." The relations, in fact, between the two bodies were to be like those subsisting between the Virginia Company and the local legislature. But the example of Virginia was not encouraging, and the men who were about to settle in Massachusetts aimed at an amount of inde-

Transfer of the charter to America.[1]

1 The whole of these proceedings are recorded in the Archives.

2 This agreement is published by Mr. Young, *M. C.*, 279.

pendence which they could never enjoy unless they were set wholly free from the control of a corporation in England. The matter was somewhat complicated by the fact that the Company was in debt to the amount of three thousand pounds, two-thirds of which debt was caused by unpaid subscriptions. Although this may have made the details of arrangement more difficult, yet in one way it furthered matters. The speculation looked so unpromising that it was easy to arrange a compromise with those partners who regarded the undertaking solely or chiefly as one of business. Two committees were appointed, one to represent the interests of the shareholders, the other those of the planters who were going out. The encumbered state of the Company made it necessary, in modern commercial language, to propose a fresh issue of stock to the original shareholders. They, however, refused this proposal. Finally it was arranged that the stock and liabilities of the Company should be transferred to ten persons. In consideration of their incurring this risk they were to enjoy a partial monopoly of the fur trade, an entire monopoly of salt-making, of the shipping of emigrants and goods, and of supplying the public magazines at fixed rates. The valuation made for this transfer showed that the present stock of the Company was only worth one-third of the sum subscribed. In compensation for this loss an additional portion of land was allotted to each shareholder, together with the right of investing a further sum for trade, such trade to be carried on for seven years under the control of the ten partners, and then to revert to the shareholders. Nothing seems to have come of this. The practical result of the transfer was to extinguish the old Company and to substitute a private firm of ten partners, all directly interested in the political and social future of the colony. Of their commercial doings we hear nothing, and there can be little doubt that these were subordinated to the general well-being of the settlement.

John Winthrop appointed Governor.

The change of design necessarily brought with it a change of officials. It was needful that the more important offices of the Company should be filled by men who intended to emigrate. Cradock accordingly resigned. His place was filled by John Winthrop. He was now in his forty-third year; a Suffolk landholder, the representative of one of those houses of which so many rose during the fifteenth and sixteenth centuries from burgess rank to a place among the country gentry. He was himself a member of the Inner Temple, and had

held a small legal office. We may well believe that even those who knew him can have scarcely discerned the promise of a future career of greatness as a statesman. For his was one of those characters, essentially English, in which the seventeenth century was above all fruitful, men whom a careful discharge of small duties has trained for higher tasks, who when those tasks come accept them with no unworthy shrinking of self-abasement, with the dignity of consciousness of strength, but who, till that hour comes, care little what the world thinks of their powers. In such men there is no impatience nor haste, nor craving for the rewards or the excitement of the conflict, but a steadfast waiting for some clear call of duty. They may seem slothful to those who do not know the inner secret of their strength: they might be fatalists if it were not for their resolute purpose and creative power. Such were the men whom Puritanism found waiting their summons. A living coal from the altar of Calvin touched their lips. The English squire and trader was transformed into a statesman who could baffle princes in council, a soldier who could overthrow them on the battle-field. The training and temper of such men fitted them to take all that was best in their new creed. The gloom of Calvinistic theology, the atrocity of its logical conclusions, went for nothing with men who were indifferent to abstract speculation. They did not need to be transformed by the moral discipline of Puritanism; it was enough if they were imbued and inspired with higher aims. The culture of the Renaissance, its art hovering on the verge of frivolity, its humanism ever passing into sensuality, formed no part of their lives. The Englishman of the Elizabethan age did not turn his back on the world of art, but it had no real hold on his spirit. At most it was but the fringe of his life and did not enter into the substance of it. His very pastimes, like those of Englishmen in all ages of healthy national vigor, had in them an element of discipline and self-restraint. His recreations were found in those "solemn and divine harmonies of music" which Milton deemed a needful part of manly training, or in those field-sports in which the strength, endurance, and intelligence of man were still matched against the craft of wild beasts. If he gave up these pleasures at the bidding of religion, he did so, not so much in the spirit of the self-mortifying ascetic, as of the man who puts away childish things. Sometimes he was strong enough even to free himself from the need for such renunciation. The Comus is the immortal witness of a half-successful attempt to

consecrate those arts which weaker men would have banished. Thus the Puritanism of men such as Hampden and Winthrop was not like a sudden wave of religion sweeping over an enervated and sensual class. It did not transform life at the risk of a violent reaction; rather it braced up men's energies and impulses by setting forth aims higher indeed than those held before, yet akin to them, bound to the associations and memories of the past, not severed from them by the shame of recantation or remorse.

His "Model of Christian Charity."[1]

We have evidence from Winthrop's own pen that he well understood the duties which were laid upon himself and his associates, and the moral and social difficulties to which a young community is specially exposed. His views on these points are set forth in an address written during his voyage, and entitled "A Model of Christian Charity." It may be described as a short and clear statement of the principles on which Christian men should live together, and especially of those moral laws which should guide them in their use of private property. As we might expect from the whole career of the writer, the work does not aim at any marked originality of thought; yet it is full of individual character, and wholly free from conventionality either of idea or expression. It is the work of a practical man writing for a practical end. From first to last there is nothing sectarian nor controversial. Illustration is used where it is needed, but there is no display of learning, and the style, unlike much of the writing of that age, is neither ponderous nor fantastic. Winthrop's view of property is that of Aristotle. He would have individual ownership combined with common use.[2] At the same time that community of enjoyment must not be based on any formal system, nor can it be provided for by exact rules. It must spring from the free spirit of Christian charity and brotherly love. Winthrop also shows himself fully alive to the dangers which beset a young community, where the struggle of life is keener than in an old-established state. "We must," he says, "be willing to abridge ourselves of our superfluities for the supply of others' necessities." Finally he appeals to his followers by reminding them how their failure will discredit the cause of God. If they should fail through their own selfishness they will shame the face

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[1] *The Model of Christian Charity* is printed in the *Massachusetts Historical Collection*, 3rd series, vol. vii.

[2] *Φανερὸν τοίνυν ὅτι βέλτιον εἶναι μὲν ἰδίας τὰς κτήσεις, τῇ δὲ χρήσει ποιεῖν κοινάς.* *Politics*, ii. 5, 8.

of God's worthy servants. If they should succeed, then men would say of other plantations in later days, "The Lord make it like that of New England."

More than one of Winthrop's associates was, like himself, abandoning ease, wealth, and the possibility of a brilliant public career. Such were the Deputy-Governor, John Humphrey, and Isaac Johnson. Slightly, if at all, lower in rank was Thomas Dudley, a stern Puritan who had served in the Huguenot army under Henry the Fourth. All these were connected with the Earl of Lincoln, the head of a great Protestant family, Humphrey and Johnson as his sons-in-law, Dudley as the steward of his household.[1]

Winthrop's associates.

In the spring of 1630 Winthrop and his party of emigrants sailed. Owing to delays in preparing the ships the whole body did not sail together, but in at least three detachments, numbering in all about nine hundred emigrants. This, which we may regard as virtually the foundation of Massachusetts, was unquestionably the greatest effort of colonization which Englishmen had yet made. For the first time the projects of Raleigh and Gilbert found their fulfillment. England was at length sending out, not a band of traders nor of pauper laborers, but a worthily representative body of citizens, animated, like a Greek colony, with the desire to reproduce the political life of the country which they were leaving. In Virginia, indeed, so far as natural conditions allowed, the constitutional life of the mother country reappeared in no unworthy form. But the growth of Virginia had been imperceptible and, as it were, unconscious; there was no epoch in its history which answered to the great New England emigration of 1630. As far as the romance of its circumstances and the personal heroism of its leaders goes, the settlement of Plymouth, beyond a doubt, must rank higher than that of Massachusetts. But it cannot claim the same importance as a deliberate and well-considered effort of colonization. It was not free choice but hostile pressure from without which drove the Plymouth settlers to forsake their English homes and to accustom themselves to an exile which lessened the effort of emigration. The founders of Massachusetts were many of them rich men furnished with ability, dwelling peaceably in their habitations, who forsook the good things of the world to win for themselves and their children a home free from its corruptions. The narrowness

Their departure.

1 Sketches of all these men are given in the *Archæologia Americana*, vol. iii.

of their aims and measures must often forbid our sympathy or even awake our indignation; it should never blind us to the greatness of their undertaking.

In June Winthrop landed in America. In spite of the wealth and commercial ability of its founders, the infant settlement of Massachusetts did not escape those sufferings which so far seemed to be the allotted portion of every colony in its early years. Of the settlers who had been sent out the year before more than eighty had died during the winter, and the survivors had but a fortnight's victuals left. The arrival of Winthrop and his followers did not make matters better. Many of them were suffering from scurvy, and the ship which was to have brought stores with them was by mishap or mismanagement kept back. Unhappily it was a season of dearth in England, and but little corn could be exported. Later writers tell us of the fortitude and resignation with which the settlers endured their hardships. Dudley and Winthrop seem to have been less impressed with the heroism of those who stayed than with the faint-heartedness of those who fled. In the first year after Winthrop's landing more than a hundred settlers, some of them men of wealth, left the colony. The greater part, among them Bright, one of the four ministers lately sent out, returned to England, others joined the settlers on the Piscataqua.[2]

Sufferings of the colonists.[1]

One consequence of the dearth was that the Company had no means of feeding its hired servants, who now numbered a hundred and eighty. Accordingly it was necessary to give them their freedom. As each of them had cost about twenty pounds to transport the loss was a heavy one. The natural condition of New England made it certain that servile industry could never play a prominent part in the economy of the colony, and that the land would be mainly tilled by small proprietors. Yet the check thus imposed on the employment of servants and the addition to the community of a large body of free laborers must have hastened and confirmed the working of a natural tendency.

Hired servants set free.[3]

The poverty of the settlers had another important result. It led them to spread abroad over the land in search of fertile soil. From the outset they seem to have agreed by common consent

[1] The arrival of Winthrop's fleet and many of the chief incidents that follow are told in a letter from Dudley to the Countess of Lincoln, sent home on March 12, 1630. The letter is published in Young, *M. C.*, pp. 303–340.

[2] Dudley, pp. 315, 316.

[3] *Ib.* p. 312.

that Salem would not be a fit center for the colony. A few of the settlers sent out the year before had already established themselves to the north of the Charles river, and had given their abode the name of Charlestown. Here Winthrop at first chose his home. But the brackish water made Charlestown an undesirable dwelling-place. One of the old planters, Blackstone, had occupied a site on the south side of the Charles river which possessed a valuable spring of fresh water. He now recommended this site to Winthrop. The Governor accordingly decided to leave his first resting-place, and the inhabitants of Charlestown had the disappointment of seeing his new timber house carried across the river to a fresh site, which then received the name of Boston,[2] and which henceforth seems to have enjoyed, though in an unacknowledged and informal manner, the position of the capital. Soon after Winthrop resolved upon a yet further migration to the inland site of Newtown. His house was for a second time actually transferred, but the urgent request of his neighbors at Boston prevailed, and the Governor stayed among them.[3] So rapid was the process of dispersal that within a year of Winthrop's arrival eight separate settlements were in existence, dotted along the shore of the bay from Salem to Dorchester. Inland, to the west, the furthest settlement was Watertown, lying on the north bank of the Charles river, some five miles from Charlestown. In all likelihood it was only the strong desire for congregational unity and for religious ministration which, coupled with the lack of clergy, kept this process from going yet further.

Extension of the settlement.[1]

The growth of fresh settlements brought with it an expansion in the constitutional machinery of the colony. Of all the colonies that have yet come before us, Virginia is the only one where a system of local representation came into existence at once in full working order. In every other case it was reached after a variety of contrivances and compromises. The reason is plain. Every other colony enjoyed a certain amount of independence before it had grown large enough

Change in the constitution.

1 Our knowledge of the extension of the colony is derived partly from Winthrop, Dudley, and Wood, partly from two pamphlets published in Young, *M. C.* I have already mentioned one of these, the *Records of Charlestown*. The other is the *Memoirs of Roger Clap*, one of those also who came out with Winthrop. This was written apparently for the edification of Clap's children, and was not printed till 1731.

2 *Charlestown Records*, p. 381.

3 Winthrop, vol. i. p. 82. In citing Winthrop I refer throughout to the old pagination, which is preserved by Mr. Savage in the margin.

to make a local representation either needful or possible. Only in Virginia had the colony the needful materials for a representative assembly at the time when it first acquired the right of self-government. It might be thought that the rapid formation of separate plantations would have made Massachusetts a second exception. But, if it be not a paradox to say so, the constitution of Massachusetts was older than the existence of the colony. The legislature of the colony was simply the General Court of the Company transferred across the Atlantic. At the same time the dispersal of the settlers at once unfitted that body for the work of legislation. The remedy first applied to this difficulty was, not to substitute a representative assembly for a primary one, but to limit the functions of the Court. It is clear that there was an oligarchical temper at work among the leading men in Massachusetts. The action of this was plainly shown by the transfer of all legislative rights from the Court of freemen to the Governor, Deputy-Governor, and Assistants. At the same time the election of the Governor was handed over from the freemen to the Assistants. These measures were enacted in October, 1630.[1] In the following March this change was carried yet further. Hitherto seven Assistants had been required to form a legal meeting. The return of several of the leading men to England made it difficult to secure the presence of a full court. Accordingly it was enacted that, if less than nine Assistants were in the colony, then a majority of them should constitute a meeting.[2] This system, if retained, might, and in all likelihood would, have thrown the supreme power into the hands of a small oligarchy resident at Boston. There is good reason to think that this was followed by a still further aggression upon the rights of the freemen. In May, 1631, it was enacted at the General Court of Election "that it shall be lawful for the commons to propound any persons that they should desire to be chosen Assistant."[3] One leading authority on the history of Massachusetts has seen in this "a substitution of the invidious and difficult process of removal" for the right of election.[4] This must, perhaps, be regarded as a conjecture, but it is conjecture which approaches nearly to certainty. It is at least safe to assume that the change, even if it did not deprive the freemen of their right of election, encompassed the exercise of it with difficulties.

1 Records, vol. i. p. 79. 2 *Ib.* p. 84. 3 *Ib.* p. 87.
4 Palfrey, *History of New England*, ed. 1882, vol. i. p. 349.

True to English precedent, Massachusetts found the salvation of her constitutional liberties in a question of taxation. When the Governor had intended to change his abode to Newtown, the assembly resolved to fortify that settlement at the public charge. Although Winthrop abandoned his purpose of leaving Boston, the fortification of Newtown still went on, probably with a view to guarding the frontier of the colony against the Indians. To meet the cost a rate was levied on each town by order of the Governor and Assistants. Against this the men of Watertown protested. Their objection seems to have rested, not on the ground that the Court had ceased to be a properly elected body, but on one less tenable, that the government merely existed for administrative purposes, and that the power to tax or make laws was vested in the whole body of freemen. Such a contention, by denying the validity of representation, really struck a blow at those popular rights which it proposed to defend. Happily the refusal to pay the rate went for more than the grounds on which that refusal was based. We may be sure too that in fact the men of Watertown were contending against an oligarchical spirit, which was probably made all the more dangerous by the conspicuous personal merit of the man in whom it was embodied. The recusants were summoned to Boston, and after being admonished by the Governor withdrew their opposition. The tone in which Winthrop talks of the transaction shows, as is but natural, no sympathy with his opponents. Yet the temper in which the men of Watertown defended their local rights was the best assurance that the same spirit would not be wanting if the liberties of the whole colony were ever threatened by any higher power.

Dispute about taxation.[1]

Though the men of Watertown gave way on the main issue, their protest seems to have borne fruit. In the next year the powers of the Governor were formally defined by an act unhappily no longer extant.[2] It was also enacted by the General Court in the following May, that the whole body of freemen should choose the Governor, Deputy-Governor, and Assistants.[3] It is clear that a strong feeling on behalf of popular rights was abroad, since at the same time it was proposed that each train-band should choose

1 Our knowledge of this dispute is derived from Winthrop (vol. i. p. 70).

2 Winthrop, vol. i. p. 72. The records of this very important court are evidently imperfect.

3 *Ib.* p. 75.

its own officers. This proposal, however, was given up, in deference to the remonstrances of Winthrop.[1]

A further step towards self-government was taken in the resolution that every town should appoint two representatives to advise the Governor and Assistants on the question of taxation.[2] We can hardly err in supposing that this was the direct result of the protest made by the men of Watertown.

This constitutional dispute was followed soon afterwards by a personal one. In 1632 Dudley, the Deputy Governor, brought certain charges of arbitrary administration against the Governor. Our knowledge of the dispute which ensued is derived entirely from Winthrop himself, and the tone in which he tells of it bears witness to his fairness of mind and generosity of temper.[3]

Dudley attacks Winthrop.

The matter was laid before a court of arbitrators, most of them, it would seem, ministers. The first of the grievances was an act by which, as Dudley contended, he had been injured. According to him Winthrop had formally entered into an undertaking to change his abode from Boston to Newtown, and had thereby induced Dudley and others to move. The Court decided that there were circumstances which extenuated Winthrop's breach of agreement, but that he was in fault. The other charges against Winthrop are of more interest, since they all bore on the constitutional question of the origin and extent of the Governor's power. The first contention which Dudley put forward was that the Governor had no power beyond that of an Assistant, except the right to summon the Court and to take formal precedence. Winthrop replied with the somewhat weak plea that the Court, in constituting him Governor, gave him all the power which belonged to a Governor by common law or statute. Dudley then charged the Governor with a series of acts by which he had exceeded the limits of his power. The attack was, no doubt, made more galling by Dudley's assertion that he proceeded "in love, and not by way of accusation." So bitter was the feeling on each side, that the arbitrators, instead of deciding on the general question, had to content themselves with keeping the peace between the disputants. The proceedings of which the Deputy Governor complained fell under two heads, executive and judicial. Winthrop, he said, had of his own responsibility moved the ordnance, fortified Boston, lent powder from the public store to the men of Plymouth, and permitted the

1 Winthrop, p 76. 2 *Ib.* 3 *Ib.* p. 82–86.

establishment of a trading station and a fishing weir. Dudley furthermore charged Winthrop with remitting and postponing penalties, and with having induced the Court, after it had decided on a case, to change its verdict.

Winthrop does not seem to have met Dudley's charges in detail, but to have contented himself with the general, and not unreasonable, plea that some "slips" during three years of office ought to be overlooked. It was less worthy of his character to contrast his own liberality towards the public with the parsimony of his opponent. The arbitrators came to no formal decision, and Dudley, as it would seem, had to content himself with having called public attention to the supposed infringements of the constitution.

Most of the acts to which Dudley objected were no more than the needful use of executive power in contingencies for which the law cannot provide, and which must from their very nature be left to the discretion of one man. Nor is it easy to see how such power could be abused so long as the right of popular election was a reality. But we must not forget that the elective rights of the freemen seemed in danger of being impaired by partial disuse, if not actually lost. A jealous and apprehensive watchfulness of arbitrary power is the tenure by which a state holds its freedom. It is certain, too, that Winthrop looked on popular government with distrust. "The best part of a community is always the least, and of that least part the wiser are still less," was the maxim in which he embodied his views.[1] Dudley's accusation may have been factious in many of its details, and the spirit which prompted it may have been ungenerous. Yet it probably anticipated a real danger, a danger made all the greater because suspicion was disarmed by Winthrop's high mental gifts and blameless integrity.

Establishment of a house of Representatives.

During 1633 no change in the constitution of Massachusetts is recorded. Yet it is difficult not to suppose that something was done in that year, which connected the proceedings of 1632 with those of 1634. In the latter year the freemen of each town elected three representatives. The whole body, twenty-four in number, presented itself at the General Court.[2] Sober and orderly though their proceedings

1 This was said in a letter written to Hooker. The letter itself is no longer extant, but fortunately we have an abstract of it by Winthrop himself. It is to be found at the end of his history (vol. ii. p. 428). This saying is also quoted by Roger Williams in a letter written to Winthrop himself (*Narragansett Club Publications*, vol. vi. p. 1).

2 Winthrop, vol. i. p. 128. The whole proceedings of the court may be very clearly traced by a comparison of Winthrop with the records.

were, yet it is clear that what they effected was little short of a revolution; if at least we may apply that name to the recovery of disused rights. The deputies demanded to see the patent, and reminded the Governor that by that instrument the power of making laws was vested in the whole body of freemen. The Governor pleaded that the framers of the patent had never contemplated such a number of freemen, and that the colony did not possess the necessary materials for a House of Deputies. As a compromise, he suggested that the Governor might annually summon representatives of the freemen, who should revise the laws, declare grievances to the Court, and sanction taxation and the granting of lands, but who should have no power of original legislation. Such a declaration was not so much a concession as an avowal of the intention of an oligarchy to maintain power in their own hands. The steps by which the representatives of the freemen won their victory cannot be traced. Only we know that before the Court broke up they had recovered the full power of election and legislation. Henceforth there were to be four Courts a year. At one the whole body of freemen were to elect officers, namely, the Governor, Deputy-Governor, and Assistants at the other three the representatives of the various towns were to legislate, grant land, and transact public business. The precise manner in which the Assistants were chosen seems somewhat doubtful. It would appear as if up to 1639 the General Court claimed the right to nominate candidates, while in that year the right was transferred to the whole body of freemen. This much seems clear, that each candidate was finally submitted to all the electors to vote for or against him.[1] Thus it was necessary that each Assistant should be elected by an absolute majority of the voters. One result of this must have been that the freemen had it in their power at any time to paralyze government by refusing to appoint Assistants. As a matter of fact, while the charter provided for eighteen Assistants, up to the year 1640 not more than twelve ever held office together. The relations of the Assistants to the Deputies and the distribution of power between them were undefined. Both for the present sat in one chamber and deliberated together. In 1634 a dispute arose as to the legislative powers of the two bodies. A project was brought forward, which will come before us more fully hereafter, for the settlement of Connecticut. Public opinion was much divided as to the

1 I infer this from the statement in Lechford, p. 25.

expediency of the measure. When it came to the vote it was approved by a majority of five out of twenty-five Deputies, but negatived by the Assistants, of whom only two besides the Governor supported it. The question then arose, was the consent of both bodies necessary? The popular excitement which ensued was allayed, as was usual in such emergencies, by a fast, at which John Cotton, a divine just arrived from England with a high reputation for learning and eloquence, held forth on the true nature and objects of the constitution. His sermon, as briefly reported by Winthrop, seems to have wholly evaded the difficulty. We are told, however, that it "gave great satisfaction to the Company," and that "the affairs of the Court went on cheerfully." Next year the Assistants gave way to the views of the Deputies, and the question was for a while set at rest.

After the manner in which Winthrop had dealt with the popular claims, it can hardly be wondered at that the electors should have looked elsewhere for a Governor. Their choice fell on Dudley. The voting was for the first time secret, a change which may have helped to embolden the freemen to take this step.[1] Something too may have been due to the indiscretion of Cotton. Unfamiliar though he was with the affairs of the colony, yet he ventured in a sermon to lay down the doctrine that such an office as the governorship should only be forfeited by misconduct.[2] In the excited state of public feeling such advocacy could have but one effect. It should be said, to Winthrop's honor, that his own account of these transactions bears no tinge of rancor or disappointment.

Dudley chosen Governor instead of Winthrop.

While an oligarchy of one kind was being overthrown, an oligarchy of a different sort was establishing itself. In 1631 a law was passed, enacting that no man should be a freeman of the colony unless he was a member of some church.[3] In other words, unless a man would profess his adhesion to a detailed and complex theological creed, and conform to an exacting system of morality and worship, he was debarred from all share in government. The defects of such a system hardly need to be stated. There are but few principles of legislation in which experience is unanimous, but one at least among them is this; that no outward profession extorted by force or in-

A religious test for citizenship introduced.

1 In the manuscript of Winthrop's history (vol. i. p. 132), at the notice of this election there is a marginal note, "Chosen by Papers."

2 Winthrop, vol. i. p. 132

3 Records, vol. i. p. 87

duced by worldly motives can make men either honest believers or good citizens. One plea, and only one, may be put forward in defence of the measure. It may be said that it was necessary to insure loyalty to those common objects for which the colony existed, and that church-membership was the only available test of such loyalty. The need, it may be urged, was of the same kind which justified Elizabeth in treating Romanism as a political crime. If the purpose of the legislature had been absolutely to exclude from the colony all who did not share the religious views of the majority, this defence might be valid; yet even so, it is hard to see why Massachusetts should have needed a safeguard with which Plymouth and Connecticut both dispensed. The present case differed from that of the Brownes. There Puritanism was brought face to face with its natural enemy, and there could be no issue but internecine war. It may be at times necessary to banish the missionaries of a hostile faith; but to admit those who dissent from the recognized creed of the state, and then to harass them with penalties and restrictions, can never be necessary or even expedient. For in requiring a religious qualification from its citizens the government of Massachusetts made no attempt at excluding from its territory all who were not members of a church. It not merely received them, but it even recognized their existence, and granted them certain civic rights. An oath of allegiance to the colony, differing but slightly from that imposed on the freemen, was required from them.[1] Only their citizenship must remain incomplete. Such a policy could not fail to secularize religion, to embitter ecclesiastical disputes, and to keep alive within the colony an element of discontent and possible disruption. The disability of those who stood outside the church did not end here. They were not merely excluded from any share in the government of the colony, but they were furthermore debarred from that local citizenship which formed so important an element in the life of Massachusetts. We have already seen how in Plymouth the old Teutonic community reproduced itself. There it was the territorial rather than the political aspect of the township which came before us. The records of Massachusetts from the outset bear constant witness to the importance of the town as an administrative body. The limits of local government were for the first time formally defined by an act passed in March, 1636, which granted to the towns the right of dividing

1 Records, vol. i. p. 115.

their lands, electing constables and surveyors, and of enforcing their orders by a fine of twenty shillings.[1] In the previous autumn an act of the Assembly made church-membership a necessary condition for voting at town meetings.[2] In May, 1636, a further measure was carried which is remarkable both as illustrating the length to which the principle of self-government was carried, and also the manner in which the disfranchised inhabitants were regarded. It was enacted that each township should elect the captain of its own train-band. The captains themselves were to be church-members, but all the inhabitants were to be electors.[3]

Christopher Gardiner.

A community which openly and avowedly repressed liberty of thought was not likely to be lenient in dealing with liberty of speech. Puritanism emancipated and dominant was every whit as ruthless as those whom it denounced as the agents of Antichrist. No doubt such a community as Massachusetts was exposed to special dangers. It can hardly be taken as a proof of severity that Morton was arrested and sent to England.[4] At the same time his house was solemnly burnt in the sight of the Indians, as a punishment for the wrongs that he had done them. He was not the only adventurous profligate whose presence disconcerted the Puritan commonwealth. In 1631 a certain Gardiner, calling himself, with questionable right, Sir Christopher, appeared in the colony. It may be doubted whether his moral shortcomings as a bigamist or the suspicion which attached to him as a possible emissary and spy from Gorges told most against him. The authorities dealt with him on both counts. In addition to the two wives in Europe, he had rashly brought a mistress with him to New England, whom he endeavored to pass off as a kinswoman. He at first evaded a party sent to arrest him; his companion, however, was captured. When examined she made a singularly ill-judged attempt to benefit her protector by averring that he was a nephew of the persecutor, Bishop Gardiner. It was probably fortunate for the criminal that chronology proved the improbability of such unpropitious kinship. The woman being "impenitent and close," "order was taken to send her to the two wives in Old England, to search her further;" a measure which no doubt served the joint purpose of examination and punishment.[5] Gardiner himself was soon afterwards arrested;

1 Records, vol. i. p. 172. 2 *Ib.* p. 161. 3 *Ib.* p. 188.

4 Winthrop, vol. i. p. 34, and note; Dudley in Young, *M. C.*, p. 322.

5 The arrest of Gardiner's mistress is told by Dudley in his letter to the Countess of Lincoln. This was written just before the arrest of Gardiner himself.

and his letters from Gorges seized. The details of the correspondence are not recorded, but it was thought to forebode danger to the colony, and, like Morton, the writer was banished.[1]

If the punishment of such worthless profligates had stood by itself, it could not have done much harm to the colony in public opinion. But, unluckily, the government of Massachusetts was in other ways making for itself an evil name. Not a year passed without some fresh tidings coming from the colony of men being punished for seditious or heretical speeches. In the summer of 1631 one Ratcliffe was flogged, punished by cropping his ears, and banished for speaking evil of the government.[2] Soon after Henry Lynne was sentenced to a like punishment, save that he was to be spared personal mutilation. His offence was writing slanderous letters about the colony to those in England.[3] In his case, apparently, the penalty of banishment was remitted.[4] Next year Thomas Knower was set in the bilboes for threatening that if the Court punished him he would lodge an appeal in England.[5] The report of such proceedings could have but one effect. Men would say, some with complacency, others with disappointment, that the denouncers of persecution had turned persecutors. Doubtless the Massachusetts Puritans might urge, probably with more truth than plausibility, that England and America were different places, and that what was persecution in the one country was but self-defence in the other. But mankind generally take little heed of such pleas. To most men in England who had no special bias of creed or party, the Puritan was a man who had clamored for freedom as long as freedom was likely to serve his own ends, and who now imitated the practices which he had himself once denounced. The generality of Englishmen probably thought with Blackstone, that an emigrant to Massachusetts only exchanged the tyranny of the bishops for the tyranny of the brethren.

Treatment of other malcontents.

1 Williams, vol. i. pp. 54, 57.

2 Records, vol. i. p. 86; Winthrop, vol. i. p. 56.

3 Records, vol. i. p. 91; Winthrop, vol. i. p. 61.

4 Mr. Savage shows by reference to the records that a Henry Lynne was living in the colony in 1632 and in 1636 (Records, p. 102).

5 Records, vol. i. p. 94.

CHAPTER IV.

ROGER WILLIAMS AND THE ANTINOMIANS.[1]

Three epochs in New England history.

The history of New England during the seventeenth century resolves itself into three successive epochs. The first is that which we have already surveyed, and which we may call the period of Puritan colonization. That came to an end when Plymouth and Massachusetts took their place as securely established communities. The second was that during which the parent stock of Massachusetts threw out offshoots. These in turn developed constitutional systems of

1 Winthrop continues to be our chief authority. The writings of Roger Williams, including his private letters, have been published with a prefatory memoir by Mr. R. A. Guild, by the Narragansett Historical Society. They form six volumes. From these we can form a very definite idea of Williams' character and opinions. More than one life of Williams has been written. The best probably is that by Mr. R. Elton. A good sketch of Williams is given in a note to the *Ecclesiastical History of Massachusetts*, by John Elliot, published in the ninth and tenth volumes of *Massachusetts Historical Society's Collections* (first series). The whole history is clear, well arranged, and fair. Unfortunately none of the biographers of Williams had access to all his writings. Their fullness and autobiographical character make the absence of a thoroughly satisfactory life less to be regretted than it is in many cases. The history of the Antinomian controversy is very fully, and on the whole fairly, told by Winthrop. It was also the subject of a partisan pamphlet by Thomas Welde, minister of Roxbury. It is entitled *A short story of the rise, reign, and ruin of Antinomians, Familists, and Libertines that infected the Churches of New England* (London, 1644). The style of the work may be guessed from the title. The peculiar and discreditable circumstances of its production are fully told by the editor of Winthrop (vol. i. p. 218, *n*). An answer to Welde was published under the title of the *Mercurius Americanus*. It has been ascribed to Wheelwright, but the authorship seems doubtful. Whoever may be the author, the production does him no credit. It is captious and petty, full of far-fetched sarcasms and cumbrous would-be pleasantries. It was republished, together with Wheelwright's fast-day sermon (p. 175), for the Prince Society, in Boston, in 1876, with a prefatory memoir by Mr. Charles H. Bell. At this stage of New England history we begin to derive great help from the numerous collections of original documents which exist, most of them preserved in the publications of the Massachusetts Historical Society. Some documents of value are preserved in Hutchinson's *Collection of Original Papers relative to the History of Massachusetts* (Boston, 1769). It was republished for the Prince Society in 1865. The original pagination is preserved.

Another collection of great value for the early history of the colonies generally, and more especially for that of New England, is the *Collection of Original Papers*, published in 1792 by Ebenezer Hazard.

their own, like that of the mother colony, yet not wholly identical. At the same time the internal character of Massachusetts was sensibly influenced by the series of events which led to this process of expansion, and also by the reaction of the newly formed communities on herself. This is the stage on which we have now to enter. There is yet a third and later stage, in which the various members thus created were joined into one connected whole, bound together partly by the formal union of a federal constitution, but still more by identity of origin, principles, and interests, and by likeness of attitude towards the mother country.

In the first stage, that which we have already traversed, religious influences have been all-important. They are scarcely less so in that on which we now enter. The settlement of Newhaven and that of the various colonies which were united to form Rhode Island were due wholly to spiritual motives. Secular objects had a larger share in the settlement of Connecticut, but they did not stand alone. The need for mutual help and support forced the New England colonies into union, but the limits and conditions of that union were in great part determined by the religious doctrines and practices of the various provinces.

When the creed of a community is narrow and dogmatic, and at the same time is not merely accepted and acquiesced in, but really held by many with the genuine fervor of conviction, while at the same time the atmosphere in which men live is fitted to stimulate theological speculation, then conflict is not far off. When, moreover, the sustained predominance of the popular creed is the condition by which a powerful and arrogant class holds sway, while the career of a successful heresiarch offers irresistible temptations to an ambitious and generous spirit, then the contest cannot fail to be bitter and destructive. In Massachusetts the needful conditions of the drama were ready; all that was wanting was the appearance of the chief actor. It is, perhaps, from its striking contrast with the prevalent type of Puritanism, that the character of Roger Williams stands out more vividly than that of any of his New England contemporaries. In his quickness of thought and grace of expression, in his mixture of kindliness and pugnacity, in his egotism, and in his versatility alike of thought and action, Williams was a true Welshman. His life was one of almost unbroken and often passionate strife. Yet he was saved from the bitterness of a professed controversialist, partly by the sweetness of his moral nature, partly, it may be, by

Roger Williams.

an inadequate perception of the real value of the objects for which he fought. It is impossible not to feel that he often wrote for dialectical victory rather than to lead men to any practical line of conduct. With all his logical subtlety his mind lacked comprehensiveness. He saw doctrines as abstract theories, but overlooked the limitations by which those theories must be modified before they can become rules of conduct. He is to be seen at his best, not in his controversial or doctrinal writings, but in the letters which extend over a lifetime, and leave scarcely an aspect of colonial life untouched. There the discursiveness and the exuberance of illustration which often mar his serious writings are in place. The correspondence of the early New England worthies is for the most part marked by a certain monotony of thought and formality of tone. Williams' letters are instinct with freshness and grace, with playfulness of expression which never becomes puerile or fantastic.

In that age a young man gifted with a winning temper and showing high literary promise was not likely to want a patron. Williams was indebted for his Oxford training to one with whom he had little in common, Sir Edward Coke.[1] Williams was apparently not ordained, nor is there anything to show that he had ever officiated as a minister of religion among the Nonconformists before his arrival in America. In the spring of 1631 he landed at Massachusetts.[2] It was quickly seen how wide were the differences which separated him from those with whom he had associated himself. In his zeal for moral righteousness, and in his strong sense of the dependence of man upon God, Williams was at one with his Puritan neighbors, but there all ground of union ended. The New Englander, as we have seen, made community of religious belief a necessary condition of political union. According to the theories of Williams, there was to be no point of contact between the spheres of religion and of civil government. The church, as he wished to see it, was to be bound together by minute and exact identity of belief and practice, but the union was to be preserved by free choice. The civil governor was to deal solely with the persons and property of the citizens, and to exercise no control whatever over their belief or worship. Nothing but active hostility to the Church of England could beget

1 Among the letters published by the Narragansett Society are some from Coke's daughter, Mrs. Saddler. She refers to her father's patronage of Williams.

2 Winthrop, vol. i. p. 41.

even transient union between such discordant and opposite views. The hostility of the Puritan to the Church was temporary and conditional, that of Williams was rooted in the nature of the institution. To attribute to the founders of Massachusetts any antipathy to a state church as such is to confound the Puritan of the seventeenth century with those who now claim spiritual kindred to him. Winthrop and his followers objected, not to secular control over the church, but to secular control exercised for what they deemed wrong ends. To Williams a state church was an abomination, however it might be administered, and whether it had its abode in Rome, in England, or in Massachusetts.

The grounds on which Williams differed from his new associates made themselves manifest almost immediately upon his arrival.

Williams' first sojourn in Massachusetts.

It would, indeed, have been foreign to his nature to be long anywhere without discovering materials for controversy. Hitherto the New England churches had wisely abstained from any formal declaration of their attitude towards the Anglican Establishment. Williams now declined to join the church at Boston unless the members would solemnly express their repentance for ever having had communion with the Church of England. In other words, he demanded from them a wholly uncalled-for declaration of war. He moreover denied the right of the civil magistrate to punish the breach of the Sabbath or any other violation of the first table. This denial does not seem to have been made as a protest against any individual act, but as the spontaneous assertion of an abstract doctrine.[1] In August, 1631, some six months after his arrival, the church at Salem chose Williams as its minister. In theory, every church was an independent community, with rights of self-government in spiritual matters. But, as we shall see, the rulers of Massachusetts never scrupled to violate that theory when the safety of the state seemed to make the observance of it inexpedient. The General Court now addressed a remonstrance to Salem upon its choice of a minister. The remonstrance went unheeded, and for the present the government took no steps towards making it effective.[2]

Williams did not remain long at Salem. There is no record either of the exact date or the circumstances of his departure.

He goes to Plymouth, but returns.

But it is not uncharitable to suppose that the same peculiarities of thought and temper which had kept him aloof from the church of Boston separated him from

[1] Winthrop, vol. i. p. 52. [2] *Ib.* p. 52.

that of Salem. We only know for certain that in the summer of 1632 he was "prophesying," or in modern language preaching, at Plymouth, and acting there as assistant to another fugitive from Massachusetts, Ralph Smith.[1] From the outset Plymouth had been strangely unfortunate in its ministers. Lyford's successor, Rogers, went mad,[2] and neither Smith nor Williams was likely to bring the older colony into friendly relations with its neighbors. The people of Salem seem to have remembered more of Williams' attractions and virtues than of the failings which had led to his departure. In 1634 he returned to Massachusetts at their invitation.[3] At the same time it seems a little uncertain how far his departure from Plymouth was voluntary. His peculiarities had, we are told, alarmed some of the leading men, Brewster among them, who foresaw that he would deviate yet further from the accepted doctrines of the Puritan churches.[4] Yet he had among his congregation some adherents so loyal that they accompanied him on his return.

The forebodings of Brewster were soon fulfilled. Almost immediately upon his return to Salem Williams reasserted his doctrines as to the complete separation of church and state. The civil magistrate, he declared, had no power save over men's bodies, goods, and outward estates. No religious act, whether prayer or oath, ought to be enforced, since such an act depended, not on the outward form, but on the mind and temper of the agent. The ministrations of the Church of England were corrupt, and to have listened to them was a sin. Over and above these views he urged that the soil belonged of right to the natives, that the settlers could only acquire it from them by contract, and that the acceptance of a patent from the King was a sin requiring public repentance.[5]

His theories of church government.

Such teaching, it is clear, went to the very utmost limits of what any government could suffer without impairing its own authority. But the danger of Williams' theories reached yet further. He not only struck at the authority of the local government, but at that of the Crown. His attack upon the patent was almost

1 Winthrop, vol. i. p. 91. 2 Bradford, p. 162.

3 *Ib.* p. 195. He was not formally appointed to any office till after his return to Salem (Winthrop, vol. i. p. 117).

4 Morton's *Memorial*, p. 102.

5 The various charges against Williams may be all found in Winthrop, and are confirmed by Williams' own statement (*Narragansett Hist. Coll.*, vol. i. p. 325). Cotton's answer (vol. ii. p. 30) practically confirms this, since he says that Williams was banished, not for holding these views, but for publicly teaching them.

sure to be represented, not as a protest on behalf of the Indians, but as a protest against the supremacy of the King. The relations of the settlers towards the English government needed the greatest tact and caution. The colonists might at any time have to assert their rights on some essential point, and it was specially needful to avoid all strife about non-essentials. The founders of Massachusetts could not suffer the fabric, which they had built up so laboriously and cautiously, to be imperiled by the indiscretion of a headstrong enthusiast.

The circumstances too of the time gave special importance to the danger. The severity of the Massachusetts government, sometimes it may be needful, often probably excessive, had raised up enemies who were making their voices heard in England. Gardiner, Morton, and Ratcliffe had, it was said, stirred up Gorges, ever jealous of Puritan colonization, and his partner Mason, to lodge a petition against Massachusetts before the Privy Council.[1] The form of the attack gave peculiar significance to Williams' conduct, since it was based on intercepted letters in which some of the colonists had denounced the church government of the mother country. In January, 1633, the chief members of the Company then in England, Cradock, Humphrey, and Saltonstall, were summoned before a committee of the Privy Council. The report of the committee was that no such offence had been proved as would justify any present interference with the colony; that further inquiry should be made, and that if it should be found that the colony was administered as was professed when the patent was granted, the settlers should enjoy a continuance of the royal favor.[2] This judgment is important, since it shows that the advisers of the King recognized the existence of Massachusetts as a Nonconformist colony. Moreover, the silence of the committee as to the transfer of the governmens, which must by this time have been matter of notoriety, is a further argument, if such argument were needed, against those who would represent that transaction as fraudulent or surreptitious.

Attacks on the colony in England.

The settlers did not leave the refutation of the charges against them to their friends in England. They drew up an answer to Gardiner, and strengthened their case by a manifesto from the old planters testifying to the good conduct of affairs. The circum-

1 Winthrop, vol. i. p. 100. This is confirmed by a letter from Captain Thomas Wiggin to Secretary Coke (*Col. Papers*, 1632, Nov. 19).

2 Winthrop, vol. i. p. 103. There is a copy of the order in Prince, p. 90.

stances under which this answer was framed, showed how much reason Winthrop and men of his stamp had to fear the uncompromising policy of the more bigoted Puritans. Dudley took exception to three points in the answer. Gardiner had used the words "reverend bishops." Those who drafted the answer repeated the expression, it is needless to say without adopting or approving it. Furthermore they professed their acceptance of the Christian creed as received by the churches of England. Dudley found fault with this expression, on the ground that the churches of England and that of Massachusetts attached different meanings to the article in the creed stating the descent of Christ into hell. Finally he took exception to the title "sacred majesty," albeit John Knox had applied it to the Queen of Scotland. The opinion of some of the leading men of Plymouth was obtained; but though it was in favor of the three expressions questioned, the impracticable and impenetrable mind of the Deputy-Governor remained unconvinced.

Dispute with Dudley.[1]

Though the danger of an attack from England was over for the present, it was not at an end. Next year Laud and other members of the Privy Council began to see that Massachusetts was becoming a dangerous outpost of disaffection. In February, 1634, ten ships bound for New England were stopped, and only suffered to proceed after the emigrants had taken the oath of allegiance and promised conformity with the Prayer Book.[2] Two months later a royal commission was issued entrusting the administration of the colonies to twelve persons nominated by the Crown.[3] Their powers took in the whole body of colonies, and were in no way specially designed for New England. But the composition of the board made it certain that Laud would be, not merely the titular head, but the moving spirit. The powers of the commission included the right to punish ecclesiastical offences, to remove and appoint magistrates, to establish courts, and to revoke charters unduly obtained. Without stretching these powers beyond their legitimate interpretation, the Archbishop might by a stroke of his pen undo all that Winthrop and his associates had accomplished.

Appointment of Commissioners for Plantations.

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1 The whole of this is told in Winthrop, vol. i. pp. 106–7.

2 Mr. Sainsbury states this on the authority of the Council Register. See his epitome of a letter from Dod, a commissioner for Suffolk, to Laud, 1634, Feb. 3.

3 *Colonial Papers*, 1634, April 28. Cf. *Virginia*, etc., p. 198.

In England it was believed, not unreasonably, that this measure was specially directed against Massachusetts, and this was confirmed by a summons to Cradock ordering him to hand in the patent. The order was sent on to the Massachusetts government. They at first temporized by withholding their answer.[1] Soon after a copy of the commission reached the colony. With it came letters warning the colonists that a governor was about to be sent out, and that the discipline of the Church of England would be enforced. It became known that the arch-enemy of New England Puritanism, Morton, had written an exultant letter, in which he foretold with triumph the impending overthrow of "King Winthrop" and his associates.[2] The measures adopted showed how real the settlers thought the danger. Three ports, Dorchester, Charlestown, and Castle Island, on the Bay, were to be fortified. A military commission was appointed, with power to imprison and put to death, to appoint and remove military officers, and to make either offensive or defensive war.[3]

The colonists prepare to resist.

At the same time the rulers of Massachusetts did not neglect more conciliatory measures. The government of Plymouth was at this time sending Winslow to England on commercial business, and also to make peace with Lord Say and his partners, with whom the settlers had quarreled.[5] It was arranged that Winslow should at the same time be entrusted with discretionary powers to advocate the cause of Massachusetts, and to explain to the Commissioners for Plantations the matters wherewith the settlers were charged. Winslow appeared before the Commissioners to answer the charges against Massachusetts, and was heard favorably. Emboldened, it would seem, by this, he addressed a petition to the Commissioners, setting forth the danger to which the New England settlements were exposed from the French to the north and the Dutch to the south, and asking, on behalf of the colonies, for authority to defend themselves against these foreign enemies. This application was condemned by Winthrop, as being an admission that the settlers needed special permission to act in self-defence.[6]

Winslow's mission to England.[4]

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1 Winthrop, vol. i. pp. 135–137.

2 Morton's letter is published in Winthrop, vol. ii. p. 190.

3 Records, vol. i. pp. 117, 125, 146.

4 The mission of Winslow to England is fully recorded in Bradford (pp. 204–206). Winthrop makes more than one reference to it.

5 For this quarrel see below, ch. viii.

6 Winthrop, vol. i. p. 172.

Winslow's case seemed going favorably. Gorges however saw in the success of Winslow's mission the overthrow of his own hopes. Laud too knew that his own designs for bringing the colonies under ecclesiastical control could only be carried out in conjunction with the schemes of Gorges. Winslow, accordingly, was imprisoned on the charge of having broken the ecclesiastical law by celebrating marriages. A petition is extant, written by him from his prison.[1] In it he admits the charge brought against him of having celebrated marriages in New England, but pleads the exceptional nature of the circumstances. He sets forth in general terms the utility of the New England colonies, and dwells on the bad character of their enemies, such as Morton and Gardiner. He also renews his petition for a commission against the Dutch and French. Finally he dwells on the pecuniary damage which was being done to his own colony by his detention.

His petition was so far successful that he was set free after an imprisonment of four months. There is no definite evidence to show that his representations produced any effect. But it is not unlikely that they may have had weight with fair-minded men, and done something to neutralize the attacks which were being made on the New England colonies.

Dangerous attitude of Williams.

A community which is brought face to face with an armed foe may be forgiven if it resorts to extreme measures to suppress disunion and disaffection within. The attitude of Roger Williams was doubly dangerous. It weakened the authority of the government, and at the same time tended to discredit that government with the supreme authority in England. He was fighting as a free lance at a time when discipline was all important. Nor was the conduct of Williams in other matters such as to conciliate wise men or to inspire them with any confidence in his judgment. True to his principle of carrying out every theory which he accepted with logical consistency in all its details, he protested against meetings of ministers, as being at variance with the congregational system and a step towards Presbyterianism.[2] Then he entangled himself in a con-

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1 The petition is in the *Colonial Papers*. Mr. Sainsbury places it conjecturally in November, 1632, but there cannot, I think, be any doubt as to the date. In it Winslow speaks of himself as writing from prison. Moreover Winslow landed in America in June, 1632 (Winthrop, vol. i. p. 78). There is nothing to show whether the petition was addressed to the Privy Council, or to the Commissioners for Plantations, nor does Bradford tell us which of these two bodies gave the order for Winslow's imprisonment.

2 Winthrop, vol. i. p. 117.

troversy with Cotton as to the propriety of women wearing veils at church.[1] Finally he exhorted his own congregation to renounce all communion with the other churches in the colony.[2] Up to this time the church at Salem had been loyal to its favorite, even to its own hurt. In spite of the remonstrances of the General Court it had appointed him pastor. For this contumacy, and for its supposed complicity in Williams' seditious courses, Salem was punished by being disfranchised till it made an apology. Such an incident oddly illustrates the manner in which civil and ecclesiastical affairs were blended.[3] But though the men of Salem were ready to defy public opinion on behalf of their pastor, they would not follow him to all extremities. His exhortation was neglected, and he thereupon punished his congregation by wholly withdrawing from them, and even, it is said, extended this process of private excommunication to his own wife.[4] In short his whole conduct at this juncture justified the taunt of Cotton, that he was a "a haberdasher of small questions against the power."[5]

Though the church of Salem incurred Williams' displeasure by its disobedience, yet it was soon seen that his teaching had found an echo there. The train-band in each town marched under the royal colors, containing that red cross which from the earliest days of Christianity had been recognized as the symbol of St. George. The Puritan regarded the most holy emblem of the Christian faith with horror which would be ludicrous if it were not painful. That headstrong and narrow-minded man Endicott on his own authority defaced the flag at Salem by cutting out the cross. A New England historian of the next generation explains Endicott's act as being "too much inspired by the notions of Mr. Roger Williams."[6] Endicott probably needed no prompter to such an act, but the incident shows how the spirit of fanaticism which was at work at Salem might entangle the colony in difficulties. Unfortunately the strong hatred of the Puritans for

Endicott defaces the English flag.[6]

1 All Williams' vagaries at this time are set forth in a letter from one Waddington to George Fox, published by the latter in his *New England's Firebrand Quenched.* The letter was written in 1677, by which time the details may have become somewhat obscured. But the charges are in the main confirmed by Cotton and Winthrop, and by the silence of Williams himself. For the question of veils, cf. Winthrop, vol. i. p. 125, and Hubbard, p. 204.

2 Winthrop, vol. i. p. 166.

3 *Ib.* p. 164.

4 Hubbard, p 207.

5 This saying is attributed to Cotton in the above-mentioned letter from Waddington.

6 Hubbard, p. 164. So, too, Hubbard assigns the advocacy of veils to Williams, where Winthrop attributes it to Endicott. On that point Hubbard's statement is borne out by the writer quoted in the Narragansett Publications.

the supposed "relique of Antichrist" made them loth to condemn an act which few of them probably would have perpetrated. After some debate a dread of the displeasure which they might incur in England prevailed. In May, 1635, the matter was brought before a General Court. Thence it was referred to a committee, four men appointed by the Governors and Assistants, and one chosen by the inhabitants of each town. This tribunal found Endicott guilty of indiscretion in taking such a step without the authority of the Court, and of a want of charity both in limiting his reform to Salem and disregarding the other towns, and also in assuming that those who suffered the presence of the cross elsewhere were conniving at idolatry. On these grounds he was formally admonished, and declared incapable of holding office for a year. Every page in the early history of New England bears witness to the patience, the firmness, the far-seeing wisdom of Winthrop. But to estimate these qualities as they deserve we must never forget what the men were with whom, and in some measure by whom, he worked. To guard the commonwealth against the attacks of courtiers, churchmen, and speculators was no small task. But it was an even greater achievement to keep impracticable fanatics like Dudley and Endicott within the bounds of reason, and to use for the preservation of the state these headstrong passions which at every turn threatened to rend it asunder.

In the following October the case of Williams came before the court. As far as can be learnt from Winthrop's meager report of the proceedings, there seems to have been no lack of fairness, nor does Williams himself find any fault with his opponents on that ground. He was offered a month to prepare his defence. He declined to avail himself of this leave. The case was tried at once, and Hooker, a divine of considerable note, who was already looked on as a rival to Cotton, acted as advocate against Williams. As the prisoner refused to recede from any of the positions which he had taken up, he was sentenced to leave the colony within six weeks.[1] This order was afterwards relaxed in consideration of the season, and Williams was suffered to stay till the spring, but admonished that he must not use this time of grace for any attempts at conversion. In January it became known that he had broken through this condition, by gathering together a congregation of some twenty

Banishment of Williams.

1 Winthrop, vol. i. p. 170; Records, vol. i. p. 160.

persons. These disciples proposed to follow their teacher into exile, and to form a new settlement on the fair and fertile shores of Narragansett Bay.[1] Those whom New England has ever denounced as persecutors were content with preserving their own territory from the infection of Nonconformity. The rulers of Massachusetts went further, and held that a heretical settlement was incompatible with the safety of their colony, even though it might be beyond its limits. The Court issued an order that Williams should be seized and sent to England. He contrived to escape, and made his way to Narragansett Bay, enduring hardships by the way with which we might, perhaps, sympathize more if we heard less of them from the sufferer himself.[2]

Williams' success as the founder and in some sort the supreme magistrate of a prosperous community will come before us hereafter, since it forms no unimportant part of New England history.

His controversy with Cotton.[3] One phase of his career however seems to form the natural sequel to his banishment from Massachusetts. Not long afterwards he was engaged in a controversy with one who would certainly have claimed to be, and would probably have been acknowledged as, the champion of New England in all theological strife, John Cotton. A letter written by him, justifying the banishment of Williams, came some years later under the notice of the victim. He replied, and a literary duel followed, in which Williams discharged at least two bulky pamphlets, to which his opponent replied in a fashion scarcely less voluminous. The title of Williams' first work, *The Bloody Tenent of Persecution*, gives a key to the subject of the controversy. It is scarcely possible to set forth Cotton's doctrine plainly without appearing to misrepresent it. Practically it came to this: we may employ force, because we are in the right, but the followers of other religions must not, because they are in the wrong. To urge men against their conscience is indeed persecution. But no man's conscience can compel him to reject the truth, and therefore to force the truth upon him can be no violation of conscience. To do Cotton justice, he never resorts to those pleas of political expediency by which modern apologists have sought to gloss over the questionable doings of the dominant Puritans in New England.

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1 Winthrop, vol. i. p. 175. 2 *Ib.* Cf. Williams' letters.

3 Cotton's, as well as Williams', share of this controversy is included in the Narragansett Society's Publications.

To a skillful controversialist like Williams such an opponent was an easy prey. To bring out in detail all the grotesque and detestable consequences which Cotton's theory must lead to was a task which displayed his opponent's exuberant powers of illustration to the full. Indeed, the manner in which Williams wastes his attacks on comparatively unimportant outposts is the only thing which at all mars the completeness of his victory. Yet if we look beyond the mere formal question at issue, we shall hardly consider Williams' attitude so satisfactory. Cotton at least perceived that the civil power had certain definite obligations towards the individual citizens as spiritual beings. Clumsy, ineffective, hateful in its results as his solution is, yet it is perhaps better that the problem should be solved amiss than complacently ignored. It is hardly fanciful to see the different characters of two races asserting themselves in each of the combatants. In Williams we see the logical subtlety, the passion for theoretical completeness, the lack of constructive power, which form the strength and weakness of the Celt. In Cotton there is the practical temper of the Englishman, tolerant of anomalies and imperfections, indifferent to ideal completeness, but never losing sight of the realities and necessities of life. The practical superiority of Cotton's position comes out yet more strongly in a side issue which connected itself with the main dispute. Williams, as we have seen, made it a sin to have held communion with the corrupt churches of the Old World. Cotton treats the duty of secession as a question not of principle, but of degree. According to Williams, men should aim at no spiritual unity beyond that which is brought about by perfect identity of belief and worship. He would get rid of the abuses of ecclesiastical machinery by sweeping away such machinery altogether. His opponent saw that in ecclesiastical as in civil life there was need for compromise, and that imperfect union was better than isolation and anarchy. A body may have "corrupt and noisome humors," they may even make it an unsound and corrupt body, yet it does not cease to be a body. The two conflicting theories might find their reconciliation in an ideal state of society. There all compulsion would be needless, since an infallible teacher would at once find acceptance with infallible disciples. At the same time the corporation of true believers, linked together by purely spiritual bonds, would include the whole civil community. But the subject of dispute was how to deal with man in his yet imperfect state, and that difficulty was no

more solved by the visionary theories of Williams than by the too practicable remedies of Cotton.

The banishment of Williams gave the colony but a short respite from ecclesiastical strife. Hitherto the rulers of the colony had only been called on to deal with the isolated attacks of individuals who were virtually severed from the bulk of the community. Williams stood almost as much by himself in his thoroughgoing hostility to Erastianism as did the Brownes in their loyalty to the Church of England. The strife which was now impending was of a different and a far more serious kind. It was not an attack from without, but a schism within. It seemed to justify the prophecies of those who held that Puritanism might destroy, but could not bind together.

Further religious troubles.

The coming conflict was to be associated with the name of the most celebrated Englishman who yet had become an adopted citizen of the New World. The brilliant powers and varied accomplishments of Vane, aided by high birth and early training in public life, have won for their possessor a more dazzling reputation than has been granted to the lofty public spirit and statesmanlike foresight of Winthrop. The actors in the great drama of the seventeenth century, swayed by conflicting impulses and contradictory principles, offer not a few problems hard to be solved, but none more complex than the character of Vane. Was his the failure of a keen mind and a susceptible conscience wandering amid difficulties, which for men of coarser stuff had no being? Or was his inconsistency, and, as at times it even seemed, his dishonesty, the mere commonplace weakness of an irresolute and unstable temper, or the dissimulation which half dupes itself? Would Shakespeare have found him in the counterpart of Hamlet, of Proteus, or of Angelo? If we cannot solve this problem, we may at least console ourselves by thinking that it equally baffled the men among whom Vane lived and moved. In the autumn of 1635 Vane arrived in Massachusetts.[1] Though only twenty-three years old he was already a practised diplomatist, at home in the atmosphere of court intrigues and state secrets. For the present he had cast these things behind him, and, in the words of Winthrop, "being called to the obedience of the gospel, forsook the honor and preferments of the court to enjoy the ordinances of Christ in their purity."[2] To such an one as

Henry Vane comes to Massachusetts.

[1] Winthrop, vol. i. p. 170. [2] *Ib.*

Vane life in New England must have been a continuous disenchantment. The more cultivated men among the political reformers valued and sympathized with Puritanism. But they valued it in its moral and political aspects, as a means for the regeneration of the individual, as an ally against corrupt courtiers and arbitrary statesmen rather than a system of theological dogma. To them the Independent system meant one under which self-constituted societies, freely brought together by common beliefs and aspirations, might work out the problems of spiritual life. In New England it meant the arbitrary rule of a tyrannical public opinion. Moreover, to men familiar with those theories of human rights which were now asserting themselves, the ecclesiastical jurisdiction of Massachusetts must have seemed a violation of all sound principles. If the ecclesiastical law of England was harsh, at least it dealt with fixed precepts and specified penalties. The rulers of New England required the acceptance of a complex series of metaphysical propositions, on whose interpretation they were not themselves agreed. The recusant was punished, not by fixed statute, but by the arbitrary sentence of a partial tribunal.

Attack upon Winthrop's administration.

As was so often the case in New England, the theological controversy was closely blended with a civil strife. This seems to have opened at the beginning of 1636 with a skirmish, whose connection with the main contest it is not altogether easy to determine. At the expiration of Dudley's term of office John Haynes had been elected his successor. Yet it seems clear that in influence and public esteem Winthrop and Dudley were looked upon as the two chief men of the colony. They appear, indeed, to have been regarded as the heads of two political parties, separated, not so much by any difference of principle, as by the temper which each carried into the task of administration. Dudley, whose view of the relation between the civil power and religion was summoned up in the distich—

> "Let men of God in courts and churches watch
> O'er such as do a toleration hatch,"[1]

represented the narrow view of the ordinary Puritan. Winthrop, it is clear, had little real sympathy with the harsher and more bigoted aspects of the creed to which he assented.

Among those who had come out with Vane was one widely different in mind and temper, though destined to the same fate,

1 Morton's *Memorial*, p. 167.

Hugh Peter. He had fled from Rotterdam, driven, it is said, to give up his ministry in the church of exiled Nonconformists by the attacks of the English ambassador.[1] Vane and Peter seem to have thought it their mission to settle the differences of a commonwealth with whose political life they were as yet wholly unfamiliar.[2] To this end they brought together the Governor, Bellingham who was now the Deputy-Governor, Winthrop, Dudley, and the three chief representatives of religion, Hooker, Cotton, and John Wilson, the pastor of Boston. Dudley disclaimed any such feeling towards Winthrop as could make a discussion or reconciliation necessary. The proceedings then took the shape of a formal admonition from Haynes to Winthrop as to the leniency of his administration. Winthrop admitted the charge, but justified himself on the ground that "in the infancy of a plantation justice should be administered with more lenity than in a settled state, because people were then more apt to transgress, partly of ignorance of new laws and orders, partly through oppression of business and other straits." At the same time Winthrop expressed himself open to conviction in the matter. The three ministers were then asked to consider the question and to report their opinion. This they did to the effect that "strict discipline, both in criminal offences and martial matters, was more needed in plantations than in a settled state, as tending to the honor and safety of the gospel." Winthrop thereupon admitted "that he had failed in over much lenity and remissness," and promised to observe greater strictness in future. Finally the conference drew up certain general principles for administration and the conduct of business, wholesome enough in tone, but so general as to be practically of little value. Abstract resolutions pledging men "to express their difference in all modesty and due respect to the court," and "such as differ" to "be more familiar and open to each other" and to "avoid all jealousies and suspicions," are not likely to be of much practical use on the occasions when they are really needed. Probably the most important resolution in reality was the concluding one, that "the magistrates shall appear more solemnly in public, with attendance, apparel, and open notice of their entrance into court."

The whole incident is illustrative of two noteworthy sides of New England history. It shows a perilous tendency, of which

1 Winthrop, vol. i. p. 169.

2 *Ib.* p. 177–179, where the whole of the controversy is told.

we shall see other instances, to confuse the spheres of morality and law, and to substitute general principles for definite precepts. Nor could any incident exemplify more strongly the ascendency of the clergy. In no other community would a statesman who had worthily discharged the highest civil office, and who combined administrative experience with no mean share of learning, have at once abandoned his political convictions at the bidding of three men, whose reputation and influence would elsewhere have been bounded by the four walls of a chapel.

The history of the next two years is a strange comment on the political *eirenicon* drawn up at this conference. At the election of 1636 Vane, in spite of his youth and his inexperience of colonial life, was elected Governor, seemingly without opposition or dispute. His year of office was one of trouble to the colony both at home and abroad. Of its two chief incidents, the war with the Pequod Indians, and the insurrection, as we may almost call it, and banishment of the Antinomian heretics, we are at present only concerned with the latter. The storm seems to have begun with the arrival at Boston of one Wheelwright, a clergyman who had been silenced by the ecclesiastical authorities in England.[1] With him came his sister, Mrs. Hutchinson, a clever, impetuous indiscreet woman. They brought over what are described by Winthrop as "two dangerous errors,"[2] which to a mind not trained in Calvinistic theology sound like two abstract and not very intelligible propositions. We may, indeed, doubt whether Winthrop's own condemnation of them does not rather reflect popular feeling and his irritation at what proved to be a source of unprofitable strife than his own judgment as a theologian. The newly imported heresies were deemed so important as to require a conference of ministers at Boston to inquire into them. That their pernicious nature was not visible on the surface may be assumed from the fact that Cotton accepted and even advocated them, with certain limitations. The suspected heretics were not content with this partial success. Each of the Independent churches of New England had in addition to its pastor a teacher or teachers. That office was already held in the church of Boston by Cotton. Wheelwright's followers were now anxious that he should be raised to the same position. In the controversy which ensued Winthrop took a leading part. His view was that of a thoughtful layman who stood wholly

Theological disputes at Boston.

1 Winthrop, vol. i. p. 201

2 *Ib.* p. 200.

outside the theological aspect of the case. He argued that, as they were well furnished with able ministers whom they did know, it was inexpedient to bring in one, however godly and able, whom they did not know, and who seemed "apt to raise doubtful disputations." At the same time, while professing his own unfitness for such disputes, he appealed to Wheelwright to "forbear, for the peace of the church, words and phrases which were of human invention, and tended to doubtful disputation rather than to edification, and had no footing in scripture, nor had been in use in the purest churches for three hundred years after Christ."[1] Winthrop's arguments prevailed, and Wheelwright's followers consoled themselves with the hope of forming a new Church on the site of Wollaston's ill-fated settlement.

Vane threatens to leave the colony.[2]

In the following August an incident occurred which strikingly illustrated the character of the Governor who had been preferred to Winthrop. Vane called together the Assistants and Deputies, and told them that he must visit England on his own affairs. When one of the Assistants expressed sorrow at the prospect of losing the Governor at so critical a juncture, Vane burst into tears and declared that he would have foregone his own private business, but that he foresaw danger to the colony from the religious dissensions which prevailed and from the attacks which he had incurred by his sympathy with the accused. When the Court demurred to his departure on these grounds, he veered round and declared that he was really compelled to leave by private business, and that the other plea "slipped him out of passion and not out of judgment." The Court thereupon acquiesced, and arrangements were made for electing Vane's successor. But before the time of electing came Vane had yielded to the request of some of the Boston congregation, and declaring himself to be an obedient child to the church, had promised to stay. It is hard to resist the conclusion that the whole proceeding was intended by Vane to test the strength of his position, if not to force a vote of confidence.

The colony divided into two religious parties.

It now seemed as if the supporters of Wheelwright and his sister, strengthened by the adhesion of the Governor and of Cotton, would succeed in establishing themselves as the party of orthodoxy and in crushing Wilson. The whole community was divided into two theological camps.

1 Winthrop, vol. i. p. 203.

2 This scene is fully described by Winthrop (vol. i. pp. 207–209).

A sober-minded layman like Winthrop might well wonder at hearing men distinguished "by being under a covenant of grace or a covenant of works, as in other countries between Protestants and Papists," and believe that "no man could tell, except some few who knew the bottom of the matter, where any difference was."[1] As soon as the question came formally before the court, it was clear that whatever the church of Boston might hold, the majority of the community looked with no favor on the newly imported doctrines. One of its proceedings was formally to approve of a speech which Wilson had made against his opponents.[2] One Greensmith had vented the calumny that all the ministers in the colony, save Cotton, Wheelwright, and perhaps Hooker, taught a covenant of works; for this he was fined forty pounds. Wheelwright, for bringing like charges in a sermon, was found guilty of sedition, and by an even more astounding interpretation, of contempt of the Court, since it had appointed a fast for the reconciliation of differences, and his sermon tended to kindle them. Fortunately Wheelwright's sermon has been preserved, and we can therefore judge how far it justifies the accusation brought against it by his persecutors, and repeated in the present day by their apologists. It is true that he enjoins his hearers to be ready to fight. But in the same passage he warns them that the battle must be fought with spiritual and not with carnal weapons. He anticipates the charge of sapping the foundations of morality by a direct exhortation to his followers not to neglect the common duties of social and domestic life, lest they shall give occasion to their enemies to call them libertines or Antinomians. The church of Boston stood firmly by its persecuted minister. Forty of the members, among whom was Vane, addressed to the Court a temperate remonstrance on Wheelwright's behalf. They challenged his accusers to specify any seditious act of which he had been guilty, and they reminded the Court that no preacher of unpopular doctrines had escaped the charge of sedition, not Elijah, nor Paul, nor One who spoke with more divine authority.[3] The remonstrance went unheeded, and only served at a later day to involve those who had made it in the punishment which fell upon their leader. Finally the Court voted that its next meeting should be at Newtown, instead

1 Winthrop, vol. i. p. 213. 2 *Ib.* p. 214.

3 The remonstrance is in Welde, p. 21. We may safely assume that his version of it is in no way too favorable to the petitioners.

of Boston, intending not so much, it would seem, to punish the heretical community, as to hold its deliberations in a more peaceful atmosphere.[1]

In May, 1637, the Court of Election met at Newtown. Proceedings opened with a dispute. The Governor wished that a petition from Boston should be read before proceeding to election. Winthrop, apparently with perfectly good reason, objected on the ground that the election was the business for which the Court was specially convened, and that it must take precedence of everything. It was urged, fairly enough, that many might have stayed away from a Court of Election who would have attended if they had known that other, and, as they might have considered it, more important business had to be done. Moreover, the whole body of freemen, having delegated their powers to the Deputies, could not suddenly resume them for a special purpose.[3] This view was affirmed by a majority of the Court. Vane at first refused to accept this decision. His resistance was overruled and the election proceeded. Winthrop was chosen Governor, and Dudley, with whom no suspected heretic could look for any mercy, was Deputy-Governor, while Vane was left out of the body of Assistants. His fate was shared by two of Wheelwright's chief followers, Coddington and Dummer, both of whom had held office the year before. For this Boston retaliated by electing the three as its Deputies. A paltry and unfair attempt was made by the Court to annul this election on technical grounds, but Boston stood firm and its representatives were admitted.

The election of 1637.[2]

For a while it seemed as if the return of Winthrop to office might bring peace. Wheelwright apparently showed some inclination to compromise, and Cotton preached a sermon which aimed at bridging over the differences.[4] In this he was supported by Shepherd, a newly-arrived divine, who has left his mark on the ecclesiastical history of New England, alike by his zeal for the converison of the Indians and by the exceptionally somber nature of his Calvinistic teaching.

Unfortunately these efforts at reconciliation were counteracted

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1 Records, vol. i. p. 191; Winthrop, vol. i. p. 216.

2 This is fully told in Winthrop, vol. i. p. 219.

3 This view is set forth in a pamphlet entitled *Liberty and the Public Weal Reconciled*, published in the Hutchinson Collection (p. 63). I can find no clew to the authorship.

4 Winthrop, vol. i. p. 221. Cotton, he says, "stated the differences in a very narrow scantling."

by an order of the Court, avowedly designed to exclude from the colony any fresh adherents to what we may now call the heretical party. It was enacted, under a penalty of forty pounds, that no person should entertain any newcomers in his house for more than three weeks, nor supply them with a habitation or a plot of ground, save with the formal sanction of the Court.[1]

Order to exclude heretics.

The measure gave rise to controversy between the leading champions of the opposed parties. Winthrop thought, not unreasonably, that the measure needed a special apology. This took the form of a pamphlet, apparently unofficial. Like all Winthrop's productions it is clear and terse. It sets forth effectively enough the abstract right of the community to keep out those whose presence might bring danger. Winthrop shows that the whole fabric of political society in New England rested on the assumption that the state was a self-electing body, requiring from its members certain religious qualifications. Where he fails is in proving that the infliction of suffering and the interference with individual liberty were in the present instance necessary. If Winthrop's apology for the order showed an inadequate appreciation of the principles of religious freedom, Vane's answer to it did so equally. He neither takes the broad line of general toleration, nor the equally tenable line that toleration was in the present instance consistent with the safety of the state. He is content to rest on the far weaker argument of Wheelwright's doctrinal orthodoxy. He showed, too, how little he understood the community which he had joined, by putting forward the argument that the patent gave a right of settlement in New England to all persons whatsoever. Such a contention was wholly needless for controversial purposes, while the practical acceptance of it would have been fatal in the long run to the objects which Vane had in common with Winthrop.

Controversy between Winthrop and Vane.[2]

With this feeble and ineffective protest on behalf of his fellow-believers Vane departed from New England. The ills which his impetuous and unstable temper had brought upon Massachusetts were in a measure atoned for, by the zeal with which he afterwards used his influence on behalf of those Puritan colonies which most needed such help.

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1 Winthrop, vol. i. p. 224; Records, vol. i. p. 299.

2 Winthrop's defence, and Vane's reply are both published in the Hutchinson Collection (pp. 67, etc).

In August, 1637, a synod of divines met at Newtown to discuss, and if it might be to settle, the existing differences. The first step taken boded ill for the result. The erroneous doctrines were drawn up under eighty heads, with a supplemental category of nine "unwholesome expressions." Henceforth orthodoxy in eighty-nine different articles was to be the needful condition of citizenship in Massachusetts.

Synod of divines at Newtown.[1]

In truth, the attitude of the New England clergy ill fitted them to guide the civil power to wise courses at such a juncture. The pulpit in New England was the one influence which fashioned and guided public opinions, the one sphere besides that of a legislator or administrator in which a man might win for himself dignity and influence. The sermon was to the New Englander all that the newspaper, the magazine, the speech out of Parliament is to us. At the same time the preacher was strictly and jealously tied down to certain positive conclusions. His position was thus like that of a party writer or a professional politician of the present day. His utterances must offer a show of originality, yet they must never deviate from certain fixed modes of thought, nor fail to lead to certain fixed conclusions. Such a system will make ready advocates, effective rhetoricians, skillful manipulators of formulæ; it is assuredly ill-fitted to train up vigorous, original, or even honest thinkers. How these influences operated was shown by the attitude of Cotton. Hitherto he had been recognized as the ally of Wheelwright. His authority indeed had been the chief ground on which the orthodoxy of the new opinions was assumed by the public. "When they were questioned about these things, they carried it as if they held forth nothing but what they had received from Mr. Cotton."[2] Cotton himself, it seems, had been up to this point satisfied of the soundness of the new doctrines. He now began to see, in his own words, that he had been "made a stalking-horse" by the teachers of heresy.[3] It was certainly unfortunate that this conversion should have occurred just when the tide of public feeling had turned. But no one can read Cotton's controversy with Roger Williams and fail to see that a capacity for abstract speculation found no place among his gifts. Probably in the present instance his inconsistency was due to a confused mind rather than a dishonest temper. Nor does it seem certain that the attitude of Wheelwright and his party was

1 The proceedings of this synod are fully related by Winthrop (vol. i. pp. 238–240).
2 Hubbard, p. 281.
3 Winthrop, vol. i. p. 253.

now precisely what it had been at the outset. It is clear that both he and his sister were among those to whom strife was a delight. A combative temper, the need for satisfying that love of novelty which they had themselves done so much to create, and that spirit of aggressive opposition which even the semblance of persecution begets in original and self-reliant minds, all prompted them to extend their differences from the established creed. A year earlier it needed the minute vision of a practised controversialist to discover their deviation from orthodoxy. Now we are told they denied the resurrection of the body, and even the innate immortality of the soul, and also the duty of observing the Sabbath.[1] A Puritan heedless of theological subtleties, if such a one there were, would see in the first doctrine a denial of an important article of the Christian faith, and in the second a perilous deviation from the usage of all Protestant Churches.

The result of the conference was, as we have seen, a general condemnation of the new doctrines, as unsafe and either blasphemous or erroneous. Over and above this certain articles of peace were drawn up, to serve as a basis of agreement between Cotton and Wheelwright and their opponents. Wheelwright refused these; Cotton by accepting them may be considered to have definitely joined that party which now, perhaps, for the first time ranked in public opinion as orthodox.[2]

It only now remained for the civil power to apply the weapon which the clergy had forged for it. In November the Court met.

Punishment of the heretics.

It is fortunate that our knowledge of what followed rests on no worse authority than that of Winthrop himself. On any testimony less trustworthy we could hardly believe a procedure which in its shameless indifference to all principles of criminal jurisprudence rivaled the worst outrages under which English Nonconformists had ever suffered. In such a case it is well to adhere as closely as possible to the language of our authority. The Court, "finding upon consultation that two so opposite parties could not contain in the same body without hazard of ruin to the whole, agreed to send away some of the principals; and for this a fair opportunity was offered by the remonstrance or petition which they had proposed to the Court."[3] Eight months had elapsed since the alleged offence had been committed, yet no attempt had been made to deal with it as a crime, till a question of political expediency made it convenient

1 Winthrop, vol. i. p. 253. 2 *Ib.* p. 239. 3 *Ib.* p. 245.

to do so. Aspinwall, one of the Deputies for Boston who had signed the petition, was banished. His colleague, Coggeshall, who had only approved the petition without signing it, was disqualified from holding office and disfranchised. Seventy-one more persons, fifty-six of them inhabitants of Boston, were disarmed, a punishment which might perhaps be justified as a measure of police, rendered necessary by exceptional circumstances.[1]

Banishment of Wheelwright.

The two heads of the party, Wheelwright and Mrs. Hutchinson, might, as it would seem, have saved themselves by a recantation. Probably such a triumph of orthodoxy would have been worth more than the mere infliction of punishment. Wheelwright, however, persisted in holding to his opinions, and refused either to leave the colony or to give up preaching. He thereupon was banished, and took refuge on the banks of the Piscataqua, a journey of no small difficulty in a New England November.[2]

Trial of Mrs. Hutchinson.[3]

The trial of Mrs. Hutchinson is the one incident of the proceedings of which a detailed report remains. From it we may judge of the temper in which the whole affair was conducted. It is impossible to read the report and not to see that Mrs. Hutchinson was no commonplace fanatic. Her attitude throughout is marked, not merely by controversial acuteness, but by a conspicuous union of self-reliance with dignified sobriety and restraint. Worn by ill-health and harassed by repeated misstatements, she neither returned a railing accusation nor was betrayed into any indiscreet admission. After divers unsuccessful attempts to prove that her conduct in lecturing was opposed both to the letter of Scripture and to the practice of the colony, the Court had to fall back upon the argument of their authority. "We are your judges, and not you ours, and we must compel you to it." The Court then dealt with the charge of calumny, in that the prisoner had accused the clergy of preaching a covenant of works. Six witnesses, all ministers, were called to prove this charge. There cannot be much doubt as to the value of hearsay evidence given by heated partisans about abstruse doctrinal propositions. Weak as their testimony was, it was still further discredited by the persistent refusal of the Court

1 Winthrop, vol. i. p. 245; Records, vol. i. pp. 205–212.

2 *Mercurius Americanus*, p. 24.

3 A very full report of this is published by Hutchinson in an Appendix (vol. ii. p. 482).

to administer an oath to them; a refusal of which two at least of the witnesses strongly approved. Worse was to come. When Mrs. Hutchinson called evidence to rebut this charge, her first witness was at once silenced with shameless brutality by Peter: "How dare you look into the Court to say such a word?" When asked how she knew that she was really under the guidance of the Divine Spirit, "How," she answered, "did Abraham know that it was God that bid him offer his son?" Her answer was more than a retort; it went to the root of the question. Either there must be some fixed external authority whose judgment may not be questioned, or else the final appeal must be made to the conscience of the individual believer. The latter doctrine may place a perilous weapon in the hands of the fanatic, but without it would Puritans have ever been worshipping God after their own fashion on the shores of America? Indeed one cannot read the proceedings without feeling that, if only the scene had been changed to an ecclesiastical court in England, the whole trial would have formed an edifying chapter in Puritan martyrology. Cotton, alone of all the Court, seems to have had some perception of this. "That she may have some special providence of God to help her is a thing that I cannot bear witness against." Endicott's rejoinder, "Do you bear witness for her or against her?" showed how even a temporary deviation towards judicial impartiality was beyond the comprehension of the ordinary Puritan.

It mattered little what shape proceedings took. As we have seen from Winthrop's statement, the trial was but an idle formality whose end had been already settled at the bidding of a supposed political necessity. Sentence of banishment was passed. The execution of the punishment however was postponed, either from some tenderness to the sex of the victim or from hope of obtaining the triumph of a recantation. Mrs. Hutchinson was imprisoned in the house of one of the ministers at Roxbury, and was thence twice brought to Boston to be confronted with a conference of the clergy. We cannot wonder that, like the Maid of Orleans, she should for a moment have wavered before the persistent attack of her tormentors. But her dauntless spirit triumphed over the momentary weakness. After she was excommunicated, her spirits, which had seemed somewhat dejected, revived again, and she gloried in her sufferings.[1] At

Mrs. Hutchinson excommunicated.

1 Winthrop, vol. i. p. 247.

the end of February she and her family, with some of her disciples, departed. Instead of following Wheelwright to Piscataqua, they turned south, and, like Roger Williams, found a refuge in the Narragansett Bay. There, four years later, they were massacred by the Indians—an incident in which, it is needless to say, the theologians of Massachusetts found a striking manifestation of God's judgment in support of their own verdict.

The proceedings against Mrs. Hutchinson had shown how the rulers of New England could play fast and loose with the principles of religious freedom. The trial of one of her disciples showed that civil liberty fared little better with them. Among those who had signed the obnoxious petition was a Captain John Underhill. His character forms one of those incongruous patches which the irony of fate has woven into the sober fabric of New England history. He was a soldier of fortune, with some tincture of letters, having little in common with his Puritan neighbors beyond a familiarity with their language and modes of thought. Antinomian views had in his case borne the fruits which were imputed to them, and at a later day he seemed disposed to play the part of a colonial John of Leyden, so far as the conditions of New England life allowed. His military capacity and the service which he had just rendered against the Pequods made him a person of importance. Accordingly, he was called upon, with some five or six others, to justify his conduct in signing the petition. His defence seems to have proceeded on the theory that free speech was peculiarly a military privilege, since he cited as a precedent the remonstrance of Joab with David. The Court went with care into the constitutional aspect of the case, but ruled that it would not bear Underhill's interpretation. Joab's remonstrance was professional, and did not deal with the King's policy generally. So far as he went beyond that he was not to be excused or followed. Moreover, he admonished David privately and not publicly. Besides, the King had disapproved of him and displaced him. After this we need not wonder that the orthodox historian of the dispute winds up with an edifying homily on the dangers of anarchy and the duty of submission to the civil power. He reminds his readers how in Europe "contentions began first with disputations and sermons, and when the minds of the people were set on fire by reproachful terms of incendiary spirits, they soon set to blows, and had always a

Trial of Captain Underhill.[1]

[1] The proceedings in the case of Underhill are told by Welde (p. 41).

tragical and bloody issue." "When brethren shall look one at another as enemies and persecutors, and when people shall look at their rulers and ministers as such, how," he asks, "shall they join together in any public service, and what can more threaten the dissolution and ruin of Church and Commonwealth?"[1] The so-called persecutors of Prynne and Bastwick might have asked for a more ingenious apologist; they could not have wanted a more thorough-going one.

Winthrop's dispute with the church of Boston.[2]

It is satisfactory to be able to pass to an episode more worthy of the political traditions of the men who founded Massachusetts. Winthrop might be willing to accept the clergy as the allies of the civil power, but they were not to become its masters. He sent to England a full report of the proceedings against the Antinomians, lest false rumors should get abroad and deter emigrants from coming out. For some reason not stated, this proceeding displeased many members of the church of Boston, and they pressed the Elders to call Winthrop to account. If a less far-sighted and resolute man had held office, a most perilous precedent might have been established. Winthrop met the attack half-way by clearly laying down the doctrine that the Church was subordinate to the civil power: "If a magistrate shall in a private way take away a man's goods or servants, the Church may call him to account for it; but if he doth this in pursuing a course of justice (though the thing be unjust), yet he is not accountable."

General view of the dispute.

It would be a fruitless task to estimate the real importance of the mass of theological subtleties which made up the so-called Antinomian heresy. Many of them, doubtless, were called into existence by that very opposition which the teachers of them met with, and by the morbid craving for theological novelties inherent in the peculiar conditions of New England life. But if we are not concerned with these, neither assuredly were the rulers of Massachusetts. The only question which they were bound to consider, and the only one in which we need enter, was the attitude of the Antinomians to the civil power. To deduce possible consequences of conduct from certain opinions, and then to guard against those consequences by penal legislation, has been in every age the expedient of the persecutor. And assuredly the Calvinist could find no possibility of danger in the doctrines of the Antinomian, which the rest of the world could

1 Welde, pp. 54, 58.

2 Winthrop, vol. i. p. 249.

not find in the doctrines of the Calvinist. The Antinomians did not, like Roger Williams, deny the claim of the civil authority to obedience. We are told, indeed, that the men of Boston were lukewarm in the Pequod war,[1] and that they brought the government into discredit by saying that the members of it were under a covenant of works.[2] In plain language, Wheelwright's followers disliked the government, and did their best to make it unpopular. To use free speech for the purpose of discrediting the constituted authority has been often treated as a crime, but those who have so treated it have not generally been regarded with much favor by the apologists of Massachusetts. It has been urged that banishment from a new and struggling community is but a slight hardship.[3] If the main evil of persecution were the injury to the victim, such a defence might be valid. But it is a truism to say that a community which forcibly suppresses free speech cuts itself off from all hopes of intellectual progress. The spiritual growth of Massachusetts withered under the shadow of dominant orthodoxy; the colony was only saved from mental atrophy by its vigorous political life.

No doubt the best plea that can be urged for the banishment of the Antinomians is that tersely stated by Winthrop: "They were so divided from the rest of the country in their judgment and practice as it could not stand with the public peace that they should continue amongst us."[4] Doubtless there are times when a community has only before it the sad choice of repressing free thought or running the risk of disruption. That choice lay before the rulers of Massachusetts, as in the same age it lay before the rulers of the Church of England. Each chose the same course; each must be judged with the same judgment. To say that it was persecution to silence Nonconformists in England, but not persecution to banish Antinomians in America, is simply to juggle with words. If we hold that the means of preservation can be justified by the worth of the object preserved, then the policy of Laud will bear the test at least as well as the policy of Winthrop.

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1 Welde, p. 25.

2 This plea for the persecutors of the Antinomians is pressed by that most thoroughgoing partisan, Mr. Palfrey (vol. i. p. 491). It is more surprising to find it used, though with far more moderation of tone, by Mr. Gardiner (*Personal Government of Charles I.*, vol. ii. p. 283).

3 Cotton, in his controversy with Williams, asks what hardship there could be in banishment from a society which the victim himself looked upon as corrupt. Williams not unfairly retorts that Cotton probably felt his banishment from England to be a hardship.

4 Winthrop, vol i. p. 250. He made this statement in the discussion with the Boston Church described above, after the banishment of the heretics.

The Church of England may have deviated into persecution, but freedom has been her natural ally. Her reception of new truths may have been slow and grudging, but it has been real. She has identified herself, tardily it may be, but effectually, with each successive phase of national life and thought. No such plea can be urged for the priesthood of Massachusetts. While the Church of England was casting off the trammels with which bigotry had fettered her, Puritanism in America was building gibbets for harmless fanatics and yielding itself a willing bondslave to an obsolete and cruel superstition. Her rule, so long as it endured, was a rule of terror, not of love; her ways were never ways of pleasantness, her paths were never peace.

While New England Puritanism was thus rent and tortured within itself, its attitude towards the home government was materially changed. The change was only part of a greater one which had come over the condition of religious parties. Puritanism was no longer what it had been when Bradford and his associates sought for a quiet refuge beyond the Atlantic. It had become political, aggressive, and practical. The Nonconformist was no longer content to regard the Church with vague antipathy. Thoroughgoing ecclesiastical reform was an accepted article in the creed of an important political party. The Church had to dread, not general denunciations, but detailed and well-digested schemes of attack.

Change in the attitude of Puritanism.

This change made itself felt to the full in the position of Massachusetts and in the attitude of the Puritan party towards the question of colonization. The leaders of it were throwing themselves eagerly into the work which Winthrop and his associates had begun. In the administration of their colony at Providence a number of wealthy and influential Puritans were displaying as much zeal and liberality as Sandys and Ferrars had brought to bear on their greater undertaking. Indeed, the government of Massachusetts had been somewhat embarrassed by the anxiety of the richer and better-born Puritans to have a practical share in the work of colonization. Lord Brook, Lord Say and Sele, and others had obtained a grant of land from the Council of New England.[1] The territory is described, not very clearly, as "all that part of New England in America which lies and extends itself from a river there, called Narragansett

Scheme for an aristocratic order in Massachusetts.

1 For a further account of this grant see below, p. 153.

river, the space of forty leagues upon a straight line near the seashore."

This, as we shall hereafter see, was not without its influence on the history of Massachusetts and the neighboring colonies. Brook and others who thought with him furthermore entertained a scheme for associating themselves on special and peculiar terms with the settlers of Massachusetts.[1] There is nothing to show whether this was distinct from the project just mentioned, or whether the patentees intended to place their territory under the jurisdiction of Massachusetts. While desirous to join the Massachusetts settlers, Brook and his associates were not prepared to forego their privileges of rank. Moreover there was at least one important point in which the constitution of Massachusetts fell short of an ideal commonwealth, as imagined by the more enlightened members of the Puritan party. Like Winthrop and Cotton, they distrusted a democracy, but, unlike them, they equally distrusted a religious oligarchy. They believed that the existing constitution "would draw all things under the determination of the church." Accordingly they submitted to the colonial legislature certain conditions of union. They proposed that the colony should consist of two orders, gentlemen and freeholders. The gentry were to form an upper chamber, the deputies of the freemen a lower. The Governor was to be chosen always out of the gentry. The rights of both orders were to be hereditary. Each at the same time was to admit fresh members. Gentry were to be admitted with the consent of both houses, while any man possessing a certain amount of personal estate was to become a freeman. Whether a property qualification was to be required for the retention of the rights of a freeman by one who inherited them does not appear.

The sober and cautious answer made by the colonists to this proposal, if it be not the handiwork of Winthrop, at least reflects his temper and habits of thought. It represented that the scheme of government proposed was really in all important points that which the colony enjoyed. With one exception the differences are, the answer says, really unimportant. "The Governor always has been chosen from among the Assistants, or of approved known gentlemen." If any of "these noble personages" should come over, "the colonists would receive them with honor and

[1] Hutchinson gives in an Appendix (vol. i. p. 490) the proposals made to the Massachusetts government by Lord Say and Sele, Lord Brook, and others, together with the reply to them, and also a letter on the subject from Cotton to Lord Say and Sele.

allow them pre-eminence and accommodations according to their condition." It is true that before they can hold office they must be members of a church, "which we doubt not religious gentlemen would willingly desire." The principle of hereditary rank is combated, but not as though it were of much real importance.

On one point, however, the colonists make no attempt to disguise or qualify their views. They hold steadfastly to the principle that civic rights can only be obtained by church-membership. They lay down the incontestable doctrine that, if power be committed to men, "not according to their godliness," danger to Church and commonwealth may ensue. They omit to prove that godliness can be safely inferred from the acceptance of any articles of faith or conformity to any religious usages. This reply was supplemented by a private letter from Cotton. From this we learn that, though the proposals fell through, yet the views which they embodied were not without their influence on the politics of Massachusetts. They brought about, or at least furthered, the appointment, in 1636, of a standing council whose members were to hold office "*quamdiu se bene gesserint.*"[1] Winthrop, Dudley, and Endicott were nominated members. The fate of the attempt might have been foreseen. The council had neither of the conditions needful for vitality; it could neither be useful nor popular. The freemen had already shown their jealousy of every power which was not directly amenable to them. Moreover there was no place for the new body in the machinery of the commonwealth. The council was indeed intrusted with the control of the Indian trade.[2] But beyond that it was merely to be a standing committee acting at the bidding of the Court. Such an arrangement could serve no useful purpose. It was assuredly not contemplated in the original constitution of the colony, nor did that constitution leave it in ordinary times any duties to discharge. Probably, however, this superfluous member would have been allowed to exist unchallenged if it had not been for an indiscreet attempt to strengthen the position of the executive. In 1639 one of the Elders was misguided enough to broach a proposal that the Governor should hold office for life. The resentment of the freemen took the form of retaliation. One of the Deputies proposed that no member of the council should have any authority as such unless he were also an

1 Cotton in Hutchinson. vol. i. p. 501: Records, vol. i. p. 167.
2 Records, vol. i. p. 179.

elected Magistrate. The Assistants introduced some slight change in the form of the motion as a protest on behalf of their own order, but accepted the proposal in substance.[1] Henceforth the council ceased to exist for practical purposes, and the rank of councilor became a mere titular dignity.

Though men like Vane and Brook might have but little real influence on the constitutional life of Massachusetts, their actual or possible adhesion to the colony could not but influence the English government. A colony of dis-affected Puritans supported by men of high birth and political influence was a very different thing from the same colony in the hands of traders and yeomen. Almost simultaneously with these changes which made Massachusetts an object of suspicion to the King and his advisers, came another which placed the colony more directly in their power. Gorges had wholly failed to infuse any of his own zeal into his associates in the Council for New England. It could do nothing either to stimulate or to guide the work of colonization. It might in some degree interfere with the control which the Crown would otherwise exercise over the New England plantations. If the King had reason to wish for the extinction of the Council, the members of that body had no grounds for desiring a prolonged existence. In April, 1635, they surrendered their charter. Their last corporate act illustrated the spirit in which they had worked and their utter incapacity to understand the real nature of the task which they had undertaken. We are reminded of Glendower and his associates, when we read of the Council portioning out the Atlantic seaboard from Newfoundland to the Hudson into twelve little principalities, to be distributed among twelve of the chief members.

Dissolution of the Council for New England.[2]

The field was now clear for a direct attack upon the colony which had expelled Churchmen and defaced the royal colors. In the following September legal proceedings were taken by an action of *quo warranto* for depriving Massachusetts of such legislative independence as it possessed, and placing it at the mercy of the Crown. The charges against the Company were set forth by the Attorney-General, Sir John Banks. Substantially they came to this: that the Company

Legal proceedings against Massachusetts.[3]

[1] Records, vol. i. p. 264.

[2] The whole of the proceedings connected with the dissolution are very fully told in the Minutes of the Council for New England.

[3] The legal proceedings are fully reported in a paper in the Hutchinson Collection, p. 101.

had made enactments concerning the lands and goods of persons contrary to the laws and customs of England, and had levied duties and enforced the payment of them by fine; in other words, they had exercised legislative and judicial powers beyond those granted them by the charter. It may well be doubted whether, as a matter of law, the provisions of the charter would bear the construction which the founders of Massachusetts had placed upon them. It may have been unwise and ungenerous for the King's advisers to insist on the letter of the law, and to enforce the legal rights of the Crown against men who were doing a good work. It might well be held that the attitude already taken by the King was a tacit sanction of the proceedings of the colonists. Yet it must be remembered that the measures adopted on behalf of the Crown were only a demand that a legal right should be recognized, and were not even followed by any immediate attempt to put that right in force. In no case can it be matter either for blame or wonder that the judges found for the Crown, and that a formal decision put an end to the privileges granted by the Massachusetts charter.

It is perhaps but a slight palliation of the proceedings against Massachusetts to say that they contrast favorably with the proceedings of eleven years earlier against the Virginia Company, both in the objects aimed at and the means by which they were reached. The Virginia Company was punished for actions which had entitled it to the gratitude of every patriotic and right-minded Englishman. It was overthrown on pleas so transparently frivolous that an arbitrary decree of the King or the Privy Council would have been a less shameless mode of attack. The case against the Massachusetts charter may or may not have been a good one, but assuredly it was a case with which an honest advocate could go into court. The purposes for which the charter had been used might be in the main good; to many wise men they must have seemed full of danger. Each measure was characteristic of the source from which it sprang. James and his counselors destroyed the Virginia Company at the bidding of disappointed speculators and intriguing diplomatists. Charles and Laud sought to sweep away the liberties of Massachusetts as hindrances to a policy, narrow it may be, but neither selfish nor corrupt.

This measure seems to have been received in Massachusetts with something strangely like apathy. The minute chronicle

kept by Winthrop contains no direct statement of the occurrence. The settlers may have regarded it, not so much as a fresh substantive attack, but rather as the formal registration of a decree which had already been determined. The sword had been always hanging over them; it could little matter at what moment it fell. Moreover the enemies of the colony showed no immediate wish to act upon the altered state of affairs. They had stripped Massachusetts of the means of defence, but they held their hands from any further attack.

Laud's hostility to the colony.

To the King and to his temporal counselors the independence of Massachusetts was probably a secondary matter, thrust aside for the present by more pressing questions. But the colony had two enemies. The one proposed to attack her ecclesiastical independence, the other her civil rights. The dangers which might result to the Church from the unimpeded growth of Massachusetts could not escape the ubiquitous watchfulness of Laud. Henceforth we find him, with characteristic love of detail, receiving and investigating the complaints of malcontents, and drawing up minutes on matters of colonial administration.[1]

Gorges and his schemes.

To Gorges the overthrow of the liberties of Massachusetts was a needful condition for the fulfillment of a lifelong ambition. He had been the chief agent for the court in the negotiations with the Council of New England for the surrender of its charter. We now find him persistently urging the necessity of consolidating the New England colonies into a single province, pointing out his own fitness for the post of Governor, and in his private letters dwelling eagerly on his prospects of success.[2]

His hopes and schemes were but those of a speculator and a place-hunter. Yet a halo of borrowed grandeur rests upon them. Before the generation which had just passed away had risen in vague majesty the vision of a great colonial empire, of England sitting as an island queen, replenished and made very glorious in the midst of the seas. The dream was to have its fulfillment in the future. For a while it vanished amid the romantic splendor of the age which gave it birth. The men who had striven to give form and reality to these hopes were the men among whom Gorges

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1 *Colonial Papers*, 1635, Dec.; 1637, Oct. 6; 1638, May 2, Nov. 27. Winthrop, vol. i. pp. 276, 298.

2 *Ib.* 1634, May 12, June 6, Dec. 9; 1635, March 21.

had lived and moved. In youth, through the stirring years of his manhood, he had breathed an air where every breeze from ocean seemed charged with the tale of their struggles and their triumphs. His is a dim copy of their ambition; a faint after-glow of their glory seems to light his career. He takes his place, unconsciously it may be, as the last figure in a mighty procession, and in that presence we can for a moment forget his own unworthiness.

Their failure.

In the events which baffled the schemes of their enemies the Puritan emigrants might well see the hand of God stretched out for their protection. In 1635, simultaneously with the dissolution of the Council, a declaration was issued by the King announcing his intention of placing the New England colonies under the government of Gorges.[1] This however does not seem to have been followed up by any sort of commission or transfer of authority. But a rumor reached the colony that a Governor had actually been appointed, and that his coming was only hindered by a mishap to the ship which had been specially built to bring him.[2] In the following winter the enemies to New England were weakened by the death of John Mason, the one man who seems to have entered with zeal and energy into the schemes of Gorges. It can hardly be regarded as a want of charity in Winthrop that he hailed this as a special intervention of God on behalf of the colony, though we may perhaps see some little credulity in his belief that Mason during his last sickness bewailed his enmity to New England, and promised if he recovered to be a friend to the colony.[3] In 1637 another declaration was issued, closely resembling that of 1635, but again the announcement of the King's intention to appoint Gorges was not followed by any definite communication of authority.[4] Temporary hindrances might delay the attack. The failure of an unseaworthy ship or the death of an individual might give Massachusetts a respite. But it would have gone hard with the liberties of the Puritan commonwealth if no more certain succor had been at hand. The outbreak of the Scotch rebellion was a turning point in English history. Its influence on the fortunes of America was more remote, but scarcely less real. We can hardly err in connecting the changed aspect of affairs in England with the attitude which the Commissioners took up towards the Puritan colony.

1 *Colonial Papers*, 1635, April 26.
2 *Ib.* p. 187.
3 Winthrop, vol. i. p. 161.
4 *Colonial Papers*, 1637, July 23.

In 1638 a strict order came from the Commissioners requiring that the charter should be sent to England. The Court resolved to withhold it, and in its stead sent a letter of explanation, unhappily no longer extant. The answer of the Commissioners was practically a concession. According to Winthrop, they declared their intention of only asserting the authority of the Commission, and leaving the liberty of the colonists virtually untouched. They still demanded the charter, but promised that it should be replaced by a fresh one, and that the colonial government should have all the necessary powers given to it pending the grant of the new instrument.[1] There the attack ended, diverted, we can hardly err in thinking, by the increasing troubles at home. If so, the action of the Long Parliament did as much indirectly for Massachusetts as it did directly for England. If the King and his advisers had been left with their hands free, with power and leisure to work their will on Massachusetts, the colony must have either seen her nascent liberty destroyed or been prematurely hurried into rebellion.

[1] Winthrop, vol. i. pp. 269, 299, 305. It is remarkable that there is no trace of this proceeding to be found among the State Papers.

CHAPTER V.

THE SETTLEMENT OF CONNECTICUT AND THE PEQUOD WAR.[1]

The settlement of Connecticut marks a new stage in colonial history. For the first time a colony becomes itself in turn the parent of a new community. The step was marked by those peculiar features which throughout distinguished the extension of the Puritan settlements of New England. When a few straggling Virginian explorers crossed their southern borders and formed the nucleus of North Carolina, they at once severed their connection with the parent colony. Connecticut at its foundation was an organized member of the

A new stage in colonization.

1 For what one may call the Massachusetts side of early Connecticut history Winthrop is the main authority. The *Records of Connecticut* from the outset are published. The editor, Mr. J. Hammond Trumbull, began his labors in 1850. The twelfth volume, coming down to 1762, appeared in 1882. Mr. Trumbull has incorporated many valuable documents with the records. Trumbull's *History of Connecticut*, published in 1818, is a careful compilation of the chief authorities. The writer also had access to private documents of some value. Of the Pequod War we have no less than four contemporary accounts, three of them by those who actually took part in it. The most important is Mason's *History of the Pequod War*. It was first published by Increase Mather in his *Relation of the Troubles* (1677). See Mr. Tyler's *History of American Literature*, vol. i. p. 148. Mason's history was republished by Prince with a preface in 1735. This edition was again published in the *Massachusetts Historical Society's Collection* (2nd series, vol. viii.). In 1660 Lyon Gardiner, the commander of the fort at Saybrook, wrote for the satisfaction of his friends an account of his military experiences in America, including so much of the Pequod War as he had himself taken part in. This remained in manuscript till 1833, when it was published in the third series of the *Massachusetts Historical Society's Collection* (vol. iii.). The other two works are in the same series (vol. vi.). One is entitled *News from America, or a New and Experimental Discovery of New England, containing a true relation of their warlike proceedings these two years last*, by Captain John Underhill. It fortunately supplements Gardiner's and Mason's accounts, since it deals mainly with that part of the war in which they had no share. The other is called *A true Relation of the late Battle fought in New England between the English and the Pequod Savages*. It is written by one Philip Vincent, an English clergyman and a graduate of Cambridge. He also wrote a short account of the Thirty Years' War, published in 1638 under the title *Lamentations of Germany*. The pictures which that work contains show that the Indians had much to learn in the art of torture from the soldiers of Tilly and Wallenstein. All that is known about Vincent is contained in a short memoir by Mr. Hunter in the fourth series of the *Massachusetts Historical Collections* (vol. i. p. 86). Mr. Hunter's information is derived from a manuscript in private hands. Underhill's pamphlet and Vincent's were both originally published in London in 1638.

parent stem, closely resembling it in political character. Even when formally separated it never lost sight of its origin nor of the ties of common feeling and interest which bound it to the older commonwealth.

The fertile valley of the Connecticut had been marked at an early date as a fit site for colonization. As we have seen, Plymouth not long after its settlement had friendly intercourse with the Dutch settlers of New Netherlands. The latter, with a freedom from jealousy seldom shown in the colonial policy of their nation, had told the men of Plymouth of the Connecticut river and of its fitness as a site for trade and plantation.[1] This was confirmed by some of the Mohicans, a scattered and broken tribe in that neighborhood. They had been driven from their territory on the upper waters of the Hudson by the Mohawks, and had then occupied the shores of the Connecticut.[2] Uncas, now the chief of the Mohicans, was an ambitious, capable, and, as many thought, unprincipled man. For some years he had been a dependent of the Pequods, the most warlike and one of the most populous of the savage races in the neighborhood of New England, and had striven to weaken them by fostering quarrels in the reigning family. The nephews of the Pequod head chief, encouraged by Uncas, rebelled. At length they and their supporters were banished, and the power of the Pequods for a while extended. Uncas now saw in the English alliance a means of reconstructing his schemes against the Pequods. From this time his endeavors to make the English his tools for building up the power of the Mohicans and making them supreme among the native tribes, form the chief factor in what one may call the Indian politics of New England.[3]

Proposal of Plymouth for trading on the Connecticut.

The Plymouth settlers, whose venturesome temper had already shown itself in their exploration of the Kennebec, now made a few trading voyages to the Connecticut. These were so far successful as to satisfy them that it would be well to establish a permanent station on the river.[4] Meanwhile Wahginnacut, a sachem of the Mohicans, had been making overtures to the Massachusetts settlers to tempt them to establish a trade in his

1 Bradford, p. 196.

2 Brodhead's *History of New York* (ed. 1859), vol. i. p. 182.

3 The relations between Uncas and the Pequods before 1636 are very clearly set forth in the report of a committee appointed in 1663 by the Federal Commissioners to examine his title to the Pequod country. The report is in the *Acts*, vol. ii. p. 379. A letter by Roger Williams, undated, but seemingly written about 1637, confirms the report (*Narr. Hist Coll.*, vol. vi. p. 61).

4 Bradford, p. 196.

country.[1] His advice was taken. In the summer of 1633 a bark was sent on a trading voyage to Connecticut, and the adventurous Oldham with three companions made a land journey for the same end. He obtained some beaver from the Indian sachem, and came back with a good report of the fertility of the soil, of its productiveness in hemp, and of the hospitality of the savages.[2] Next year Bradford and Winslow came to Boston to propose that the two colonies should enter into a partnership for the purpose of trading on the Connecticut. Winthrop pointed out divers objections: the ferocity and number of the Pequods, and the nature of the river, which, owing to a sand bar and to the severity of the weather, could only be navigated by small vessels and for seven months of the year. His objections prevailed, and the scheme was abandoned.[3] The settlement of Connecticut proved to be one of the chief conditions through which the New England settlements attained unity. At the outset it seemed as if it was fated to call out every possible cause of discord and disruption. It formed a source of jealousy and dissension between the different colonies, it was the beginning of active hostility with the Dutch, and it caused the first serious war between the New Englanders and the Indians.

These difficulties made themselves felt at once. The Dutch could not but see that the position and resources of Massachusetts made it a more dangerous neighbor than Plymouth. Moreover events had just occurred which might well make the settlers at New Netherlands jealous of English intrusion. In the spring of 1633 Jacob Eelkens, a discharged servant of the Dutch West India Company, had forced his way with an English vessel, the William, into the Hudson, refusing to recognize the rights of the Dutch and asserting that the English had a title to the river, since one of that nation had discovered it.

A Dutch fort on the river.

The sloth and cowardice of the Dutch allowed Eelkens to sail past Fort Orange unchecked and to open a trade with the natives. A force was soon sent after him; he was stripped of his goods and driven from the river. Eelkens' claim was obviously absurd, nor was the encroachment of much practical importance, but it marked the beginning of a chapter in the great struggle between the nations of Europe for the mastery of the New World.[4]

1 Winthrop, vol. i. p. 52. 2 *Ib.* p. 111.

3 *Ib.* p. 105; Bradford, p. 196.

4 The affair with Eelkens is told by Mr. Brodhead (vol. i. p. 239). There is a reference to the voyage of the William in Winthrop, vol. i. p. 101.

The Dutch, as was but natural, took prompt measures to make good its territorial claims. In the next month the government of New Netherlands bought from the Pequods a tract of land on the Connecticut, and at once set up a small fort there, commanding the river.[1] To meet this new danger the Massachusetts settlers took a step which would otherwise have amounted to a breach of faith with their countrymen at Plymouth.

Remonstrance from Massachusetts.

As soon as the action of the Dutch became known in Massachusetts, Winthrop sent out a small vessel, the Blessing, not only to trade along the Connecticut, but with instructions to the captain to sail on to New Netherlands and to warn the Governor, Van Twiller, that the English laid claim to the territory about the Connecticut river under a royal grant. Luckily for the English, Van Twiller had little of the enterprise and courage which in that age distinguished most of his countrymen. He replied courteously that the Dutch had also a claim to the land under a grant from the States General, and requested the English settlers to take no further steps till the matter had been referred to the two home governments.[2]

Action of Plymouth.

The protest against the Dutch occupation was urged in a more practical fashion by the men of Plymouth. The government of New Netherlands rested its claim, in part at least, on the purchase from the Pequods. To meet this the Plymouth settlers entered into alliance with the Mohicans, and undertook the restoration of their chief. This measure, if not ill-judged, was at least unfortunate, and involved the New England colonies in years of destruction and bloodshed. The procedure of the Plymouth settlers showed clearly that they meant rather to challenge than to avoid a conflict with the Dutch. A vessel was sent up the river under the command of one Holmes. On board was a wooden frame house. This was to be set up some fifteen miles above the Dutch fort, on the ground bought from the Mohicans. When the vessel reached the fort the commander there bade the captain halt and strike. Holmes answered that he was commissioned by the governor of Plymouth, and that he meant to carry out his orders. The Dutch commander suffered him to pass, and reported the matter to the Governor at Manhattan. An armed force of seventy men was dispatched to expel the intruders. On their arrival they found the English securely forti-

1 Bradford, p. 197; Brodhead, vol. i. p. 234.
2 Winthrop, vol. i. pp. 112, 113.

fied, and decided to leave them unmolested. If the Plymouth government had been indiscreet in its alliance with the Mohicans, it had fully atoned for the error. By prompt and resolute action it had checked an aggression which might have been fatal to the future unity of New England.[1]

The territory in dispute formed part of the vast tract under the jurisdiction of the Council for New England. For the present, however, neither the government of Plymouth nor that of Massachusetts seem to have troubled themselves about any such claims. The government of Plymouth seem to have treated the upper valley of the Connecticut as unoccupied soil, for which it was enough to acquire a title by purchase from the natives. The Massachusetts settlers had a claim to the upper waters of the Connecticut. Their southern boundary, a line drawn east and west, starting three miles south of the outlet of the Charles river, would intersect the Connecticut a few miles above the Plymouth factory. Meanwhile the lower waters of the river had passed into the hands of a new set of proprietors. In 1631 Lord Warwick, the President of the Council for New England, made over to a company of twelve, including Lord Brook and Lord Say and Sele, a tract of land a hundred and twenty miles in length, whose northern extremity on the coast was somewhat vaguely described as the Narragansett river, while its extension westward was unlimited.[2] This grant conformed to the principle, usually adopted up to this time, of mapping out the territory of North America in parallelograms along the seacoast. If the main rivers had run at right angles to the general line of the coast there would have been but little inconvenience in the arrangement. But this system took no account of a river which, like the Connecticut, for a part of its course ran nearly due north and south. In such a case the result would be that the mouth of the river might be in the hands of one colony, while the greater part of its course ran through the territory of another, perhaps of more than one.

Patent granted to Lord Say and Sele and others.

Such was the case here. The northern boundary of the tract assigned to Lord Brook and his partners crossed the Connecticut

1 Bradford, p. 197; Trumbull, vol. i. p. 35.

2 The grant from the Earl of Warwick to Lord Say and Sele and his associates does not appear to be extant among the State Papers. It is given by Trumbull in an Appendix (vol. i. p. 495). There is nothing, as far as I can discover, to show whether Warwick made this grant officially as President of the Council or whether it was a transfer of land of which he was himself the original grantee.

some fifteen miles from the mouth. Above that the river passed through the tract claimed both by the Dutch and the Plymouth settlers, while still higher it ran through the yet unexplored backwoods of Massachusetts. Such an arrangement could hardly fail to lead to dispute.

The new patentees did not at once act upon their grant. Before they did so the process of emigration from Massachusetts to the unclaimed territory on the river to the south-west had begun. As early as 1634 the farmers of Massachusetts, straitened for fertile soil, began to look for homes in the Connecticut valley. In any of the Southern colonies a band of emigrants might have wandered off unhindered, and almost unheeded. That was impossible in the highly organized civic life of New England. It must be borne in mind that the proposal was not one for mere extension. If the emigrants from Massachusetts occupied the valley of the Connecticut they would interpose a belt of wilderness between themselves and the home which they were leaving. This being so, it was but natural that the scheme should be opposed. It was regarded not merely as an emigration but a secession. The motives which had led the men of Plymouth to oppose the formation of new settlements at Duxbury and Scituate operated here with far greater force. The formation of a new settlement might weaken the authority of the Massachusetts legislature, it might unnecessarily bring the New England colonies under the notice of the English government, and it might embroil the English settlers both with the Indians and with the Dutch. Accordingly in 1634 the proposal was, as we have seen, rejected by the Assistants, although approved of by the Deputies.[1]

Emigration from Massachusetts.

Next year the question was re-opened. The men of Watertown had already shown a spirit of exceptional independence. They were among the chief advocates of the scheme for emigration.[2] It is said that, in spite of the disapproval of the legislature, in the autumn of 1634 they sent a small party to explore and occupy the shores of the Connecticut.[3] At the same time a party of explorers from Dorchester, either led or at least encouraged by Ludlow, an Assistant and a man of wealth, were making preparations for a settlement.

Alleged motives.

1 Winthrop, vol. i. pp. 140, 141.

2 *Ib.* p. 160.

3 This is mentioned as a tradition by Trumbull (vol. i. p. 59).

Besides the need for fresh soil, it was thought that the personal ambition of Hooker, the pastor of Newtown, made him eager for greater freedom and authority than he could enjoy in Massachusetts. One New England chronicler indeed tells us that "two such eminent stars, such as were Mr. Cotton and Mr. Hooker, both of the first magnitude, though differing influence, could not well continue in one and the same orb."[1] The complacent reverence with which Massachusetts regarded her ecclesiastical heroes nearly reaches its height when these two worthy divines are represented as the Aristides and Themistocles for whom there was not room in one community. Whatever might be the objections to the emigration, it must have been clear to all sensible men that it was inexpedient to keep men within a state who wished peaceably to withdraw from it. In 1635, the legislature abandoned its opposition. At the same time it imposed the condition that the emigrants were to be still subject to the jurisdiction of Massachusetts, a condition which was sure to give way before the difficulties of communication.[2] It is also noteworthy that in the same autumn the legislature enacted that for the future the formation of new settlements should be especially under the control of the Magistrates, and that none should be permitted to emigrate without their leave.[3]

The men of Dorchester at once availed themselves of the permission granted. It was but natural that the settlers from Plymouth should be indignant when Massachusetts undertook an enterprise single-handed in which she had refused to bear a part in conjunction with the sister colony. In July Bradford received a letter from Jonathan Brewster, who was at the head of the Plymouth settlers on the Connecticut, telling him of the intrusion. He would not apparently have objected to the occupation of vacant territory by the new-comers. But they had specially set their affections on the very spot which the Plymouth government had bought from the Mohicans and had held so manfully against the Dutch. The difficulty, it is clear, was mainly caused by the emigrants from Dorchester. They had not merely gone as an agricultural settlement in need of fresh soil, but with Ludlow, one of the richest men in Massachusetts, at their head, they sought to set up

Dispute with Plymouth.

1 Hubbard, p. 173.
2 Winthrop, vol. i. p. 160; Records, vol. i. p. 146.
3 Records, vol. i. p. 167.

a station for trade. The emigrants from Plymouth protested in a temperate and dignified tone against the aggression. The intruders shamelessly replied that the territory was the Lord's waste, and that they had judged that present actions, such as theirs, were more important than uncertain possibilities. As was usual in the dealings of Massachusetts with the rest of New England, the unscrupulous and domineering temper of the stronger colony was rewarded by success.

The Plymouth emigrants, before they would treat, insisted on an acknowledgment of their claim to the soil. After that had been admitted they accepted a compromise. They were to retain their house with two parcels of land, making in all one-sixteenth of the tract purchased from the Indians. For the rest they were to be compensated by the new-comers. We may well believe with Bradford that, though this ended the controversy, the unkindness was not so soon forgotten. At the same time the Plymouth historian carefully discriminates between the unjust greed of the Dorchester emigrants and the moderation of those from Newtown, who were content with leave to occupy ground which the original purchasers did not need for their settlement.[1]

Dispute with Saltonstall.

The emigrants from Dorchester showed their reckless indifference to established rights in another quarter. During the summer of 1635 Sir Richard Saltonstall, one of the patentees, sent out a party of twenty men, seemingly as a private venture, to occupy a part of the territory granted by the Earl of Warwick. According to their own story, when they had marked out a site for building and inclosed ground for pasturage they were attacked and insultingly driven out by the emigrants from Dorchester. Not only was Saltonstall's settlement thus frustrated, but his vessel was hindered on her voyage, whereby, according to his own claim, he lost a thousand pounds.[2]

Severity of the winter.

As winter came on it seemed doubtful whether the settlers would be able to keep their hold on the territory which they had so unscrupulously won. In October a further party of emigrants, seventy in number, set forth for their new home.[3] No explanation is given for the ill-chosen season of their migration. Though their own journey was made by

1 Bradford, p. 214.

2 Saltonstall's grievance is set forth in a letter written by him to the younger Winthrop in February, and published in *Mass. Hist. Coll.*, 4th series, vol. vi. p. 579. Saltonstall's attempt is also briefly referred to by Winthrop (vol. i. p. 171).

3 Winthrop, vol. i. p. 171.

land, their furniture and their provisions for the winter were to be sent round by water. The river froze before its usual time, and the emigrants were left destitute.[1] In less than two months they had to leave their home and find their way along the banks of the river to meet their supplies. They embarked on board the first vessel which they met, made their way with some difficulty to the mouth of the river, and on the tenth of December reached Boston.[2]

Meanwhile Lord Say and Sele and his associates, stimulated in all probability by these intrusions, were at length taking steps to put in force their claims. At the same time their choice of an agent showed that the scheme would be carried out with due regard to the rights and wishes of Massachusetts. The command of the settlement, or, as it should rather be called, the outpost, was entrusted to John Winthrop, the eldest son of the Governor of Massachusetts.[3] He had followed his father to America in 1632, and had settled at Agawam. Within two years he lost his wife, and returned, disheartened it may be, to England.[4] Far inferior to his father in vigor of mind and statesmanlike wisdom, he possessed a versatility and a charm of manner which had been denied to the elder Winthrop, not so much by nature as by the exigencies of his career. He was now commissioned to construct a fort at the mouth of the Connecticut, to garrison it with fifty men, and to build houses suited for the better class of emigrants. The practical work of fortification was entrusted to a Scotch soldier, Lyon Gardiner. His military skill was of considerable service to New England, and he has left a record of his doings there, in which a lack of scholarly skill is more than atoned for by shrewdness and vigorous simplicity. Winthrop did not sail direct to the mouth of the Connecticut, but landed at Boston. Thence he sent a small party to occupy the mouth of the river and to make preparations for building. When they reached the site of their settlement they found it in the hands of rival claimants. The Dutch had reasserted their right to the river by putting up the arms of the States General on a tree near the mouth. The English at once tore down the aggressive emblem. Just afterwards a Dutch vessel appeared, but the English, who had now got their ordnance on shore, refused to suffer the crew to land.[5]

Lord Say and his partners form a settlement.

1 Winthrop, vol. i. p. 173.
2 *Ib.* p. 175.
3 Trumbull gives the commission in an Appendix, vol. i. p. 497.
4 See the *Life*, vol. ii. pp. 111, 123.
5 Brodhead, vol. i. p. 260; Winthrop, vol. i. pp. 174–5.

There is no positive evidence to show what amount of connection there was between these different attempts. It is no wise unlikely that the Dutch settlement may have been intended to check the English emigrants from Massachusetts, and that this in turn may have stirred up the patentees to send out Winthrop. Be that as it may, the importance of their action can hardly be overrated. Without it the English settlements on the upper waters of the river, those which afterwards grew into the colony of Connecticut, would have been effectually cut off from the rest of New England. As it was, the patentees did just enough to help the other settlers, and not enough to interfere in any way with them. It was of the utmost importance to the new settlements that the mouth of the river should be held by a friendly power strong enough to exclude all rivals. At the same time Saybrook, as the fort was called after its two chief founders, remained a military outpost, and did not become the nucleus of a colony. As might have been foreseen, the divided ownership of the river led to disputes, but these never for a moment threatened the political independence or unity of Connecticut.

The discouraging reports brought by the returned settlers had no effect in restraining the influx of emigrants into the new territory. In the spring of 1636, as soon as the river was free from ice and the woodland meadows offered any pasture, bands of emigrants were seen making their way by land with their herds of cattle, while their furniture and supplies of food were sent round by water.[1]

Emigration from Massachusetts in 1636.

In one respect the migration thoroughly illustrated the peculiarities of New England life. It might almost be said that it was a movement, not of individuals, but of churches. Thus Shepherd, who landed in New England in the autumn of 1635, writes that he found the congregation of Newtown on the point of removing to Hartford, and that he and his company thus had a vacant abode ready to their hand.[2] The temper in which the migration to Connecticut was conducted is strikingly illustrated by the fact, that the new settlements during the early years of their existence bore the names of the town in Massachusetts from which they came.[3] The historical identity of the town was vested, so to speak, not in the place but in the inhabitants. Just as the English Dorchester

1 Winthrop, vol. i. p. 187; Trumbull, vol. i. p. 64.

2 Shepherd's Memoir of his own life, in Young, p. 545.

3 Trumbull, vol. i. p. 64. This is confirmed by the very first entry in the Connecticut Records.

had given its name to a New England township, so now the mimic Pergamos of Massachusetts found a second copy in the valley of the Connecticut.[1]

Government of the colony.

By the end of 1636 there were, we are told, some eight hundred inhabitants in the new territory, divided among the three townships, which afterwards took the names of Hartford, Windsor, and Weathersfield.[2] A fourth settlement, fifteen miles higher up the river, was marked off from the other three as lying within the bounds of Massachusetts. At a later day this took the name of Springfield. For the present it seems to have been called by the Indian name of Agawam, or after the township in Massachusetts from which it had its origin, Roxbury. The colony at first lived under what might be called a provisional constitution. The government was for the present entrusted to eight magistrates appointed by the Massachusetts legislature.[3] Their commission set forth that their power was only granted temporarily, pending any arrangements made by the patentees of the river. As might have been expected, the instincts and habits of self-government quickly asserted themselves. In 1636 the municipal independence of the three townships was recognized by the appointment of constables.[4] In the next year the colony took its first step towards representative government by a meeting of Deputies, or, as they were called, Committees, from the different townships.[5]

A constitution formally constructed.

In January, 1638, the three towns formally declared themselves a commonwealth with a constitution of its own.[6] The government of Massachusetts by allowing this may be considered to have abandoned all claim to exercise sovereignty over the new colony. The settlers on the Connecticut had not withdrawn out of any dissatisfaction or with any craving for political changes, and, as was natural, their constitution was a slightly modified copy of that under which they had lived. In one respect indeed they benefited by the experience of Massachusetts. A system of representation was adopted at once, instead of being slowly worked out through a series of expedients and compromises. The legislature was to consist of a Governor, six Assistants, and

1 "Parvam Trojam simulataque magnis Pergama."—*Æneid*, iii. 349.

2 This number is Trumbull's conjecture.

3 Mass. Records, vol. i. p. 170.

4 Connecticut Records, vol. i. p. 1.

5 *Ib.* p. 29.

6 The constitution is in the Records, vol. i. pp. 20–25. It is also given by Trumbull in an Appendix, vol. i. p. 498.

Deputies. The Governor and Assistants were to be elected annually by the whole body of freemen, met in a General Court for that purpose. The Deputies were to be elected by the three existing towns, four from each. As fresh towns were formed their number of representatives were to be fixed by the government. The court was to meet once a year. In one important point the constitution was more liberal than that of Massachusetts. The Governor was the only person from whom church-membership was required. All freemen, that is, all persons who had taken an oath of fidelity to the commonwealth and been admitted by the majority of any township, had the right of voting, both for Deputies and at the General Court of Election. One point deserves special notice. The imposition of taxes was left to the whole legislature. But in the event of any tax being imposed, the adjustment of it among the various towns was left to deputies specially appointed for that end.

In the next year the establishment of a constitution for the colony was supplemented by the confirmation and extension of the rights granted to the townships. Each town was empowered to dispose of its own lands, to make by-laws, and to appoint local offices. It might furthermore nominate a local court of three, five, or seven members. Such courts were authorized to settle civil cases of less than two pounds value, with appeal to the General Court.[2] The supreme judicial power was vested in the General Court, but in terms which seem to contemplate the appointment of subordinate courts.

Town government.[1]

One effect of the new settlement was to bring the English for the first time into serious conflict with the natives. The Tarentines indeed, a tribe beyond the northern frontier had at least once terrified the settlers by an inroad. The author of the *Wonder-working Providence* describes the alarm with a characteristic mixture of vigorous language and haziness of detail. But it is clear from Winthrop's passing notice of the matter that it occupied little place in the minds of the colonists.[3] The only tribes from whom danger was really to be feared lay to the south-west, and against them as yet the position of Massachusetts had been an effectual safeguard. On the south the colony was covered by Plymouth, while the security which the colonists

Relations to the Indians.

1 Connecticut Records, vol. i. pp. 20–25. 2 *Ib.* p. 36.

3 Winthrop, vol. i. p. 59; Johnson, bk. i. ch. 25. I am not sure whether both refer to the same affair. Winthrop describes an attack on Agawam, Johnson on Lynn. The latter was probably absent from New England at this time (see Mr. Poole's preface, p. lxx.).

enjoyed on the northern and inland frontiers showed how complete had been the destruction which the plague had wrought among the savages. Moreover the country south and west of Massachusetts was yet further depopulated by small-pox not long after the establishment of the colony.[1] But while the older settlements were thus guarded, the new plantations on the Connecticut formed a sort of outpost projecting into the territory of a powerful and warlike tribe. The position made war almost inevitable. The action of the Plymouth settlers in recognizing the territorial claim of the defeated Mohicans was in itself an offence to the Pequods, and the ill-feeling thus engendered was confirmed in other ways. Fortunately for the English settlers, the country which lay between them and the Pequods was in comparatively friendly hands. Some portion of it was occupied by a remnant of the Mohicans; but the most numerous and powerful tribe that dwelt there was the Narragansetts. They, like the Mohicans, had suffered at the hands of the Pequods.[2] Their chief, Canonicus, had, as we have seen, sent a threatening message to Plymouth in the early days of the colony. But no actual hostility had followed, and in the summer of 1632 one of their chiefs, Miantonomo, with his wife and twelve of his followers, had been hospitably received at Boston.[3]

Stone killed by the Pequods.

The unauthorized trader, to whom the peace and permanent well-being of the colony are matters of indifference, is more often than not the origin of hostilities between settlers and savages, and so it was now. While a Virginian ship's captain named Stone was cruising about the mouth of the Connecticut he was attacked by the Indians, he himself and seven of his men killed, and his vessel burnt. As none of the English survived, the details of the quarrel could only be learnt from the savages.[4] According to them Stone had brought the attack upon himself by having seized and bound two of the natives, whom he compelled to pilot him up the river. On the one hand Stone's previous character was so bad that there is no reason to disbelieve this,[5] while at the same time it is in some measure dis-

1 Winthrop, vol. i. pp. 119–123; Bradford, p. 203.

2 Winthrop, vol. i. p. 148. "They were now in war with the Narragansetts, whom till this year they had kept under."

3 *Ib.* p. 86. He was then called Mecumeh.

4 The account of Stone's murder, as first reported from Plymouth to Boston, is given by Winthrop (vol. i. p. 123), and by Bradford (p. 203). The explanation first given by the Indians is in Winthrop, vol. i. p. 148. Their later explanations will come before us hereafter.

5 Winthrop (vol. i. pp. 104, 111) and Bradford (p. 203) bear full testimony to Stone's wickedness.

credited by the fact that the Indians at a later day gave a different and inconsistent excuse. Whether the offenders were, strictly speaking, Pequods seems doubtful, and indeed the relations between that race and the English were not a little complicated by remnants of other tribes inhabiting the Pequod territory, but in some measure independent.[1]

Negotiations for redress.

The Massachusetts government seems to have contented itself with reporting the matter to the Governor of Virginia, and to have taken no direct steps to obtain redress.[2] For nearly a year the matter was allowed to rest. But in 1634 the Pequods became entangled in a quarrel with the government of New Netherlands.[3] They could not afford to be on bad terms with both their civilized neighbors at once. Believing, as it would seem, that the English were either ignorant of the attack upon Stone or indifferent to it, the Pequods sent a messenger to Boston to solicit the friendship of the settlers.[4] This seems to have been meant as an informal overture to Ludlow. He had already taken some part in the exploration of the Connecticut valley,[5] and it is not unlikely that he may thus have become known to the Indians. He now exchanged gifts with the messenger, and told him that the Pequod chief must send a formal embassy to the Governor. Accordingly two Pequods were despatched with a present of wampum. They too thought it best to make their first application to Ludlow, who brought them to Boston. The matter was laid before the Assistants, aided, as was usual in serious affairs, by the counsel of some of the ministers. The terms accepted by the Pequods showed how anxious they were to secure the English as allies against the Narragansetts and the Dutch. The leader of the party who had attacked Stone had, they said, been killed by the settlers at New Netherlands, and of the rest all but two had died of the small-pox; they promised however to give up the survivors. Over and above they undertook to pay a large tribute of furs and wampum, and to befriend the English if they should settle on the Connecticut.

News came to Boston next day which in some measure explained the anxiety of the Pequods for peace. A force of two or three hundred Narragansetts was reported to be on foot for the

1 Mason, p. 131.

2 Winthrop, vol. i. p. 123.

3 Brodhead, vol. i. p. 242.

4 This embassy and the proceedings that followed are related by Winthrop (vol. i. pp. 147–149).

5 See Saltonstall's letter, mentioned above.

purpose of cutting off the Pequod embassy. The English at once summoned the Narragansetts to appear before them. Two of the chiefs, with about twenty of their men, obeyed the summons. By the good offices of the English peace was preserved, and the representatives of the two tribes were sent home satisfied.

Nearly two years elapsed and the Pequods showed no intention of carrying out their promises. The murderers were not given up, and the residue of the tribute was withheld on the plea that the elders of the tribe had not assented to the payment. Fresh outrages too had been committed on the outlying English settlements in the Connecticut valley and on a trading vessel from Plymouth.[1] The savages also tried to entrap the settlers at Saybrook by a pretended meeting for trade, but were baffled by the caution of Gardiner.[2] The Massachusetts settlers were only withheld from immediate action by his remonstrances. He pointed out that the probable result would be to leave him and his companions, with their settlement as yet unfortified and ill supplied with stores, at the mercy of the savages.[3] In July, 1636, the younger Winthrop, then acting for the patentees on the lower Connecticut, was instructed by the government of Massachusetts to make a formal demand for redress, and to warn the Pequods that if this was not offered war would follow. The moderation of these demands and the length of time during which the Massachusetts government had borne with the evasion of the enemy furnish in this instance a full answer to any charge of haste or injustice.

The Pequods commit further outrages.

Scarcely had these instructions been issued to Winthrop when a quarrel arose between the settlers and the Narragansetts. This too was caused by an attack upon a solitary trader. That John Oldham, whose restless temper had at an earlier date given so much trouble both in Plymouth and Massachusetts, was now plying a trade in corn with the natives along the shore of Narragansett Bay. One day in August, 1635, John Gallop, the master of a small vessel, was cruising with a man and two boys near Block Island. He there saw a pinnace which he recognized as Oldham's. On nearing her he found her filled with Indians. Trusting to the incapacity

Oldham murdered by the Narragansetts.

1 These are set forth in the commission to the younger Winthrop, spoken of below. It is published in the *Massachusetts Historical Collection* as a preface to Gardiner's *Pequod Wars*

2 Gardiner, p. 139.

3 *Ib.* p. 138.

of the savages to navigate the pinnace, Gallop repeatedly sailed round her and closed with her, pouring in each time a volley of duck-shot. Some of the Indians were hit, others leapt overboard and were drowned. When at length Gallop had reduced his enemies to four, he boarded the pinnace. There he found the mangled body of Oldham.[1]

The matter was at once taken up by the Massachusetts government and brought home to some of the Narragansett Indians, who had resented Oldham's friendly dealings with the Pequods. Accordingly two envoys were sent by the Massachusetts government to demand satisfaction. Canonicus was now old and infirm, and his authority was in part delegated to his nephew, Miantonomo, oddly described by Williams as "the marshall and executioner" of his uncle.[2] The English ambassadors were received with all courtesy and state, and were much impressed by the sober wisdom of Canonicus. His younger colleague was, we are told, of a more lofty spirit. It is clear that, whatever might be the inclination of the Narragansett chiefs, they felt that they were between two fires. They knew the power of the English and the value of their arms, and they had heard that the settlers were but the advanced guard of a mighty nation. Yet they could ill afford to incur the enmity of the Pequods. They were, as it would seem, better fighting men than the Narragansetts. Authority had in all likelihood been somewhat weakened by the division between uncle and nephew, and the tribe seems to have been scattered under the command of a number of petty chiefs. Canonicus however succeeded in sending the English ambassadors back satisfied, and the verdict of the Massachusetts government acquitted him of any share in the murder of Oldham.[3] The guilt of that act seems to have rested chiefly with the inhabitants of Block Island, who from their isolated position were but little amenable to the control of the chiefs on the mainland.[4]

Hitherto in their dealings with the Pequods the English had shown forbearance and moderation; that can hardly be said of their proceedings now. A force of ninety men,[5] under the

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1 Winthrop, vol. i. pp. 189, 190.

2 Deposition of R. Williams, in *Mass. Hist. Coll.*, 2nd series, vol. vii. p. 75.

3 The embassy is described shortly by Winthrop (vol. i. p. 192), and more fully, though not very clearly, by Johnson (bk. ii. ch. 6).

4 Winthrop, vol. i. p. 191.

5 Winthrop (vol. i. p. 192) says ninety. Underhill says a hundred, and Mason a hundred and twenty.

command of Endicott, was despatched to Block Island. Their instructions were to extirpate the natives there, by killing all the men and capturing the women and children, and then to take possession of the island. Thence they were to go on to the mainland and to demand the murderers of Stone, with a thousand fathoms of wampum for damages, and some of the Indian children as hostages.[2] One would have thought that even the unswerving advocacy of a New England chronicler might have shrunk from defending this unjust and ferocious policy. No effort was made to obtain redress by peaceful means or to separate the innocent from the guilty. The whole community of Block Island was to be destroyed because it contained a band of murderers. Excuse may be made for those who for six years had lived in more or less constant dread of a watchful and unforgiving enemy. But there is one man for whom no such plea can be urged. Vane's associations and training should have raised him above colonial narrowness and prejudice. It would have been no hard task for him, still in the fullness of his untarnished popularity, to have raised his voice on behalf of justice and mercy.[3]

Endicott sent against Block Island.[1]

The expedition was carried out, as it had been planned, cruelly and unwisely. The English were delayed in landing on the island by a heavy sea. When on shore they found the ground almost impassable from brushwood. The natives either escaped in their canoes or hid themselves in the thickets. The exploits of the invading force are summed up by Underhill. According to him, they "burnt the Indian houses, cut down their corn, and destroyed some of their dogs instead of men."[4]

His failure.

We are indebted to the same authority for an account of the manner in which the expedition, after leaving Block Island, dealt with the Pequods. On reaching the Pequod territory the English were received by multitudes of the natives, who greeted them in a friendly fashion, not thinking they intended war. Then, Underhill ingenuously tells us, "we, thinking it the best way, did forbear to answer them; first, that we might the

Endicott's dealings with the Pequods.

1 Underhill gives a very full report of this expedition, in which he had a command. Gardiner tells us so much of it as came under his own observation at Saybrook.

2 The instructions are given by Winthrop, vol. i. p. 193.

3 Underhill (p. 4) specially says, "God stirred up the heart of the honored Governor, Mister Henry Vane, and the rest of the magistrates."

4 Underhill, p. 7.

better be able to run through the work; secondly, that by delaying of them we might drive them into security, to the end we might have the more advantage of them."[1] But before the assailants could strike a blow the Pequods divined their intention, and sent a chief to confer with them. The English received him on board of one of their vessels, and renewed their demand that Stone's murderers should be given up. The Pequods' ambassador excused the murder on the ground that a Dutch trader had kidnapped one of their chiefs, and then, having promised to deliver him up for ransom, had given up his dead body. For this they vowed revenge. Soon after Stone's vessel appeared on the river and made overtures for trade. The son of the murdered chief went on board, found Stone in a drunken sleep, and brained him with his tomahawk. The English might well look with suspicion on a defence wholly at variance with that which had been given two years before. They further argued with good reason, that the Pequods must be well able to distinguish between Dutch and English, and that to accept these explanations would be an encouragement of future attacks. Two courses lay open to Endicott. He might strike a blow decisive enough to cripple and terrify the Pequods. If his men were not enough in number for that, common sense would have led him to avoid exasperating the savages, and to wait till a larger and better furnished force could deal with them effectually. But the attack upon Block Island had already shown that Endicott was wholly ignorant of the strategy needed against the Indians. Gardiner, whose professional contempt for citizen soldiers was in this case fully justified, urged the danger to which he and his fellow-settlers would be exposed. "You come hither," he said, "to raise these wasps about my ears; then you will take wing and flee away."[2] The details of Endicott's campaign cannot be told better than in the complacent language of Underhill: "Marching into a champaign field we displayed our colors; but none would come near us, but standing remotely off did laugh at us for our patience. We suddenly set upon our march and gave fire to as many as we could come near, firing their wigwams, spoiling their corn, and many other necessaries that they had buried in the ground we raked up, which the soldiers had for booty. Thus we spent the day burning and spoiling the country. Towards night we embarked ourselves. The next morning, landing on the Nahanticot shore,

1 Underhill, p. 7. 2 Gardiner, p. 140.

where we were served in like nature; no Indians would come near us, but ran from us as the deer from the dogs. But having burned and spoiled what we could light on, we embarked our men and set sail for the Bay. Having ended this exploit we came off, leaving one man wounded in the leg, but certain numbers of theirs slain and many wounded. This was the substance of the first year's service."[1]

Scarcely had Endicott returned when news reached Boston of a fresh source of danger. It was announced that the differences between the Pequods and the Narragansetts were made up.[2] An alliance between those tribes would have extended the danger of invasion from the plantations on the Connecticut to the whole line of settlements along the New England coast. Fortunately there was one man in New England who was both able and willing to cope with this difficulty. The kindly and sympathetic temper and the inquiring mind of Roger Williams had taught him to regard the savage as something more than a beast of prey to be avoided or destroyed, and his own wrongs had not made him indifferent to the danger of his persecutors. He and his companions on the shores of Narragansett Bay were specially menaced by the threatened combination among the savages. Yet we may well believe that the principle which he laid down, and to which he ever loyally adhered, "I know that every man, *quatenus* man, is his brother's keeper,"[3] would have been motive enough. The ungenerous silence of every Massachusetts chronicler, Winthrop alone excepted, shows how deep a humiliation it must have been when the government had to confess that their hopes of safety lay in the man whose very presence in America was a defiance of their authority. At the urgent request of the Governor and Council Williams embarked alone in a canoe and made his way to the home of Canonicus and Miantonomo.[4] There he found the ambassadors of the Pequods, whose hands and weapons, in his own words, "yet reeked with the blood of his countrymen." By what arguments he prevailed we are not told, but when he left the Narragansetts after a three days' sojourn in their wigwams, their friendship with the Pequods was at an end, and they were willing to negotiate an alliance with the English. They seem to have brought with them

Roger Williams negotiates with the Narragansetts.

1 Underhill, pp. 10, 11.

2 Winthrop, vol. i. p. 196.

3 This expression occurs in a letter to Winthrop, August, 1638 (*Narr. Soc. Pub.*, vol. vi. p. 114).

4 Letter to Mason, June 22, 1670, published in *Mass. Hist. Coll.*, 1st series, vol. i. p. 175.

the Mohicans, whose weakness and lack of numbers would have made it almost impossible for them to stand alone against the other tribes. Miantonomo was received at Boston, and an offensive alliance against the Pequods formally drawn up and accepted.[1]

Scarcely had this been completed when Winthrop, then Deputy-Governor, received a letter from the Governor of Plymouth, protesting against the folly of the late expedition, as having merely provoked without curbing the Pequods. The unwonted petulance and sophistry of Winthrop's answer betrays his consciousness of a weak cause. How, he asks, could soldiers in armor follow the savages in the forests? The government had not intended to make war, but merely to inflict punishment, and this it had done. It was likely too that the savages would have submitted "if God had not deprived them of common reason." In other words, the Massachusetts government had sent out an expedition without troubling itself about the temper and resources of the enemy, and had courted failure in a case where failure might bring with it the massacre of hundreds of Englishmen.[2]

Correspondence between Bradford and Winthrop.

The remonstrances of the Plymouth government were but the echo of those urged by Gardiner, and both were fully justified. All the winter the settlers on the Connecticut were harassed by skirmishing parties of Pequods. The garrison at Saybrook was defied and insulted; the men could hardly venture out to gather forage and fuel, and in spite of all precautions Gardiner was wounded by an Indian archer.[3] Further up the river more than twenty English settlers were killed or taken prisoners, and the new settlements were cut off from all communication with the coast.[4] Meanwhile the rulers of Massachusetts were absorbed in other and, as they seemingly deemed, in more important affairs. At Boston the one topic which excluded all other thoughts was whether the ministry preached a covenant of grace or a covenant of works. Not three days' march off the very friends and brethren of the disputants lay down each night to sleep, not knowing whether by the morning

Outrages by the Pequods during the winter of 1636.

1 Winthrop, vol. i. p. 199.

2 Winthrop mentions the substance of Bradford's letter shortly and gives that of his own answer in full (vol. i. p. 199).

3 Gardiner, p. 145.

4 Mason mentions nine killed at Weathersfield. According to Prince the whole number was fifteen killed and eight taken prisoners. Among the prisoners were two maids. They were ransomed by the Dutch, and returned, having suffered no wrong at the hands of their captors (Winthrop, vol. i. p. 223)

every man in their habitations might not be a captive in the hands of the torturer and every woman and child a mutilated corpse.

The military system of the various colonies was ill-adapted for striking a single and decisive blow. In Massachusetts the township was the basis of the military system. There each town had from the outset its own company, which met for drill once a week.[2] Monthly drill was soon afterwards substituted.[3] A side-light is thrown on the social and industrial condition of the colony by an exemption from service which included magistrates, elders, deacons, shipwrights, millers, and fishermen.[4] In 1636, as the colony extended and as danger became more pressing, the legislature introduced a more complete organization into the system. The militia was divided into three regiments, each with its own district. One included Boston and five townships south-east of it along the coast. Another took in the inland towns, including the detached settlement of Dedham, while the third extended northward. There was as yet no central authority, but the officers were to be chosen by the council out of a list of candidates recommended by the townsmen.[5]

The military system of New England.[1]

The early records of Plymouth throw no light on the military condition of the colony. We know that the force raised against the Pequods were volunteers.[6] We know, too, from more than one incident, that there was no lack of individual courage or soldierly skill among the settlers.

A militia organized according to local divisions is admirably fitted for a purely defensive war. Every soldier feels that there is an object at stake in which he as an individual is directly interested. Every man is bound to his comrades by the tie of neighborhood, often of friendship and kindred. But for purposes of attack, when complex movements have to be carried out, and when the end sought is not one of obvious and immediate necessity, then the weak points of the system are felt. The very strength of his individual passions and interests hinders the citizen soldier from taking his place as part of a complex machine. His civil pursuits offer a rival claim. He is loth to leave his farm and his merchandise till the protection of them becomes an actual necessity. And though the war with the Pequods was in a certain sense a defensive war, yet it was not a war which could be carried on

1 A very complete understanding of the military system of Massachusetts may be learnt from the records. Some details are furnished by Johnson.

2 Mass. Records, vol. i. p. 85. 3 *Ib.* p. 102.

4 *Ib.* pp. 210, 258. 5 *Ib.* p. 186. 6 Plymouth Records, vol. i. p. 60.

solely by defensive operations. It was not enough to guard the settlements on the river from isolated attacks; the enemy must be so dealt with as to make such attacks impossible, and to secure free and safe communication between Connecticut and the other New England colonies.

Even before the military difficulty could arise there were political difficulties to be overcome. Each colony had an interest in the war, and it could hardly be carried on with success unless each co-operated. Yet the matter did not concern each colony alike. Early in 1637 Massachusetts made a trifling contribution to the help of her colony by sending twenty men under the command of Underhill to reinforce the garrison of Saybrook.[1] In May Winslow arrived at Boston to confer with the government there about a joint attack on the Pequods.[2] The spirit in which negotiations were carried on boded ill for the proposed alliance. Winslow announced at the outset that no final decision could be given till the session of the General Court, a month later. He also thought it a fitting opportunity to bring up certain grievances, such as the refusal of Massachusetts to help Plymouth against the French in Canada, their interference with the trade on the Kennebec, and the alleged trespass on the Connecticut. Finally he pleaded that Massachusetts was strong enough to fight her own battles without help from a weak neighbor.

Want of united action.

In reply the Massachusetts government pointed out that it was no private quarrel of their own, but a danger common to all the colonies. The other charges they partly explained away, while in some measure admitting and regretting them.

While Plymouth and Massachusetts were wrangling, the men of Connecticut were up and doing. Already in the first week in May a force of ninety men had been raised from the three townships of Windsor, Hartford, and Weathersfield.[3] Without waiting for any promises of help from either of the other settlements, the little band set forth on its desperate enterprise. Its numerical weakness was more than made up for by the capacity of the commander, John Mason. New England historians, usually so lavish in eulogy, have meted

Connecticut prepares for war.

1 Gardiner, p. 148. He calls them "twenty lusty men well armed."

2 Full accounts of this negotiation are given by Winthrop vol. i. p. 219) and by Bradford (p. 220).

3 Connecticut Records, vol. i. p. 9; Mason, p. 133. Mason now becomes an authority of the first importance. Underhill says a hundred men. It is clear that he is habitually inaccurate in his figures. Gardiner, on the other hand, says eighty.

out praise with a sparing hand to one far worthier of it than many of the divines and legislators with whom they have dealt so bountifully. Like nearly all the military heroes in the early days of the colonies, Mason had learnt soldiership in the Netherlands. It may seem no great exploit to conduct a short campaign against a horde of half-naked savages armed almost wholly with bows and arrows. Yet it gave Mason scope to show a comprehensiveness of view, a promptness of action, and a power of inspiring his followers with his own enthusiasm and self-reliance, which elsewhere might have won him a high place in military history. The gratitude which he so largely earned from his own generation should also be felt by posterity, since he has left a chronicle of the campaign in which each of its successive incidents is told with method and with graphic simplicity.

Plan of campaign.

The task that lay before him was to clear the Pequods out of a tract of country between the Connecticut and the Mystic rivers, some thirty-five miles in width and stretching about sixty inland, backed by dense forests in which escape would be easy. The main body of the savages was entrenched in two fortified villages, the chief one on the Mystic river, some four miles from the shore. It was clear that they had made ready for the worst, since the wives and children of their chief men were placed in safety at Long Island.[1] If the two colonies on the coast could have been trusted to co-operate efficiently, probably the best method of attack would have been a simultaneous invasion from the Connecticut plantations, from the north-east, and from the coast. But to secure the success of such a combination would probably have needed more skill and better organization than were at the command of the settlers, even if Plymouth and Massachusetts could have been trusted to co-operate loyally. For the Connecticut force to attempt that line of attack alone would simply have brought them face to face with an enemy who could fight or disperse through the forest as they pleased. Accordingly it was settled by the authorities at Hartford that Mason was to proceed down the Connecticut and along the coast till he came to the mouth of the Pequod river. There he was to disembark and to march inland against the enemy.[2] By this plan he could pick up any assistance that might come from the other plantations,

1 Letter from Winslow to Winthrop, May 22, 1637, in *Mass. Hist. Coll.*, 4th series, vol. vi. p. 164.

2 Mason, p. 134. "Our commission limiting us to land our men in Pequod river."

while even if they failed him wholly it would only weaken and not neutralize his attack. The English were accompanied by Uncas, at the head of eighty Mohican warriors.[1]

At Saybrook Mason met with a discouraging reception from Gardiner, who might well be pardoned if he looked with little confidence on the military powers of the colonists. When he pointed out the incapacity of the men, Mason gave the somewhat desponding answer that the Connecticut magistrates either could not or would not send better.[2] At first Gardiner refused to let any of his men join them. At length however Mason prevailed on him to substitute twenty of his men for twenty of the weakest of the force from Connecticut.[3] During the passage down the river the Mohicans were successful in some trifling skirmishes against the enemy. The service rendered was small in itself, but reassuring to the English, who had hitherto doubted the good faith of their allies.[4]

On reaching the mouth of the river Mason saw how inadequate was the proposed scheme of campaign. If he simply marched straight inland on the Pequod village, the enemy would deal with him as they had dealt last year with Endicott. It would be madness for ninety heavy-armed men, laden with ammunition and provisions, to attempt to pursue a force of some hundred savages through the forest. In one way, and in one way only, could an effectual blow be struck. The English might land further up the coast in the friendly territory of the Narragansetts, and thence penetrate the Pequod country by a flank movement. By this means they might cut off the Pequods from the upper country, and if they failed to annihilate them, bring them to bay on the banks of the Connecticut. Moreover the Pequods were expecting an attack from the mouth of the river, where they had scouts posted, and the proposed change of plan might effect a surprise.

Mason changes his plan.

Mason's subordinates opposed his new scheme. Impatience to end the campaign and return home, the bane of citizen armies from the days of Harold down to the days of Washington, made them shrink from the proposed delay.[5] Mason saw that he had to deal with men whom it was better to persuade than to coerce, and he knew too that for that end the voice of the minister who

1 Mason mentions Uncas, but does not specify the number of his men. Gardiner says eighty. Underhill says "three score Mohiggeners."

2 Gardiner, p. 149. 3 Mason, p. 135. 4 *Ib.*; Underhill, p. 16.

5 Trumbull states this, but without giving his authority.

accompanied the force would be the most efficient influence. In his own words, he "earnestly desired Mr. Stone that he would commend our condition to the Lord, to direct how and in what manner we should demean ourselves."[1] We may well believe that Mason's request was no calculated artifice; in the crisis of his country's fate the Puritan captain leant on a wisdom beyond his own. Stone spent the night in prayer, and not in vain, since in the morning he bade his countrymen trust to the guidance of their brave and far-sighted leader. On the twenty-third of May, nearly a fortnight after their departure from Hartford, the little army landed in the country of the Narragansetts. The Indians, though favorable to Mason's purpose, told him that his force was too small for the task before it. We must remember that the negotiations with the Narragansetts had been conducted by Massachusetts, and the savages might naturally distrust an undertaking in which that colony had no share.

By this time Plymouth and Massachusetts had come to terms, and had voted, the former fifty men,[2] the latter two hundred.[3]

Attack on the Mystic fort.

An advanced party of forty men under Captain Patrick was hurried forward to join Mason.[4] While among the Narragansetts Mason received a message announcing Patrick's intended coming. He decided however that the increase of strength would not compensate for the delay. His men were impatient to end the war and return home, and every day that he waited lessened the chance of taking the Pequods by surprise. Moreover some immediate and brilliant success seemed needful to confirm the wavering allegiance of his Indian allies. Accordingly the day after his landing Mason advanced, with two hundred of the Narragansetts added to his original force. After a day's march he reached Nyantic, an important settlement of the Narragansetts on the borders of the Pequod country. There his distrust of his allies was strengthened by the refusal of the Indians to admit him within their village. Mason's original design was to divide his force and to make a simultaneous attack on the two Pequod villages. What he now learnt as to the strength and disposition of the enemy led him to concentrate his forces on the

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1 Mason, p. 154.

2 Bradford (p. 223) says fifty, the Records (vol. i. p. 10) enumerate forty-three.

3 Here, again, there is a slight discrepancy between the chronicle and the records. Winthrop (vol. i. p. 222) says two hundred. According to the Records (vol. i. p. 192) the number was originally a hundred and sixty, and fifty-one more were raised afterwards.

4 Winthrop, vol. i. p. 222; Bradford, p. 223.

principal village. This stood on the west bank of the Mystic, in a large enclosure surrounded by a palisade twelve feet high and an earthen rampart of three feet.[1] Before dawn on the twenty-sixth of May Mason made his onslaught. Many of the Narragansetts had already dropped away, and neither those that stayed nor the Mohicans showed any willingness to support the English. In justice it must be borne in mind that the attack was one for which neither their experience nor their arms in any way fitted them. Mason divided his troop in two. One party under himself attacked on the west, the other, led by Underhill, from the east. The English poured in a heavy volley, and Mason forced an entrance through the gateway, while Underhill's party after a struggle scaled the palisade. Though the Indian archery took but little effect through the headpieces and buff coats of the assailants, yet two were killed and twenty more disabled, while the shelter afforded by the wigwams enabled the savages to avoid the fire of their enemies. One dreadful resource remained. Mason seized a firebrand from a wigwam and applied it to the light fabric. In an instant the huts of basket-work, covered with dry mats, were in a blaze. Underhill followed his example. In half an hour the two streams of fire met and the whole village was in ruins. Underhill's narrative rises into dignity and pathos as he tells us how "great and doleful was the bloody sight to the view of young soldiers that had never been in war, to see so many souls lie gasping on the ground, so thick in some places that you could hardly pass along."[2] We may feel too that he has summed up the merits of the case when he says, "Mercy they did deserve for their valor, could we have had opportunity to bestow it." A needless war against savages is just as great a crime as a needless war against a civilized nation. But if once the necessity arises, then it is impossible that such a war should be carried out on the principles which govern civilized nations. A civilized community is amenable to penalties and restraints which have no force against savages. It can be mulcted of a share of its territory; its commerce can be destroyed by a blockade. As life becomes more complex the need for direct penalties grows less. In primitive times an individual is rendered harmless by blinding or mutilation. A community is bound over to keep the peace by giving hostages. To endeavor to restrain a fierce, proud, and vindic-

1 Underhill (p. 23) and Vincent (p. 29) both describe the fort. The latter says it covered two acres, the former makes it only one.

2 Underhill, p. 25.

tive nation like the Pequods would have been striving to bind the unicorn in the furrow. In such a case the grim maxim of Essex holds good: "Stone-dead hath no fellow." That such a necessity exists is the best reason why a civilized power should avoid war with savages. It is no reason for refusing to face facts when war becomes needful.

More than six hundred Pequods had perished, and only two of the assailants.[1] But of the latter more than one in every four was wounded, and the task of bearing them to the vessels which were lying at the mouth of the Pequod river was a sore tax on the exhausted troops. The surgeon, who was no soldier, had fled to the ships, and the raw air of the early morning was telling on the sufferers. Fortunately, however, the Mohican and Narragansett allies, who had rendered no other service, were able to help in carrying the wounded. As the little force was making its way to the sea a fresh party of the enemy, numbering over two hundred, came in sight. When they found the charred remains of the village, strewed with the corpses of their countrymen, they raised a howl of grief and rage and rushed upon the retiring enemy. It was no part of Mason's scheme of campaign to turn upon this second force. He contented himself with keeping the foe in check till his troops had reached the shore. There they found a vessel with Patrick and his forty men from Massachusetts. Though too late to bear a hand in the campaign, he might now have been of service in transporting the English soldiers or the Indian allies by sea, and saving the exhausted force from the fatigue and danger of a land march. But Patrick's contentious and impracticable temper made him utterly useless, so that, in the words of Mason, "we did not desire or delight in his company, and so we plainly told him."[2]

Mason's return.

On Saturday, three days after the victory, the little army reached Saybrook. There it was "nobly entertained by Lieutenant Gardiner with many great guns," and with courtesy which must have contrasted pleasantly with the gloomy forebodings with which he had witnessed their departure.[3] Of their reception by their fellow-citizens Mason is content to tell us that they "were entertained with great triumph and rejoicing and praising God for His goodness."[4] We

Reception of the troops in Connecticut.

1 The estimates vary very widely; I have taken Mason's.

2 Mason, p. 144.

3 *Ib.* Gardiner himself (p. 149) says, "They returned with victory, to the glory of God and honor of our nation."

4 *Ib.*

learn from the records of the colony that the gratitude of the citizens showed itself in act by a grant of five hundred acres of land to Mason and of the like amount to be distributed among his men. Well might Connecticut be triumphant and thankful at the return of her deliverers. They had saved her from destruction, from horrors which we may describe in words, but can hardly even shadow to our own minds. They had shown too that the little community of three villages, which had not yet fully taken the forms of civic existence, had within it the spirit by which commonwealths are kept alive. The safety of the state had been staked on the courage and good conduct of the citizens, and they had borne the test. The daughter had shown that she could dispense with the tardy and grudging help which the parent offered her. Her very success was a rebuke to that parent. The slur which had been cast on New England soldiership by the failure of Endicott, was wiped out by the skill and daring of Mason and his followers.

The victory by the Mystic had practically annihilated the power of the Pequods and decided their fate. The task of subjugation had yet to be carried out in detail. When the result of the campaign became known at Boston the Council resolved only to send half the number of men that had been originally voted. A deputation, headed by three ministers, waited on Winthrop and remonstrated with him. The arrogant claims of the priesthood to interfere in secular affairs met with less toleration from Winthrop than from any other of the statesmen of New England. A private remonstrance, he told them, might have been heard, but "to come . . . in a public and popular way . . . would bring authority into contempt." As a concession, however, a hundred and forty men were sent.[1] Though the Pequods had endeavored to strike a parting blow at Mason's force before it embarked, yet the defeat by the Mystic had utterly destroyed all unity and discipline among them. In their wrath they turned on their leader, Sasacus, and denounced him as one whose ambition had brought about the ruin of his nation. The chief, finding his life in danger, fled with seventy of his chosen followers to the country of the Mohawks.[2] With his flight all thought of resistance was at an end. The remnant of the natives broke up into scattered bands, which took refuge separately in the swampy recesses of

Further operations against the Pequods.

1 Winthrop, vol. i. p. 226.

2 Mason, p. 145; Winthrop, vol. i. p. 233.

the forest. One of these, numbering eighty, was surrounded and captured by the force from Massachusetts.[1] The largest party escaped across the Connecticut and took refuge with some friendly Indians. At the end of June the force from Massachusetts was joined by forty men from Connecticut under the command of Mason. For a while it was impossible to ascertain where the main body of the surviving Pequods was. At length a deserter, who acted as spy for the English, told them that his countrymen were in a fortified village near the shore, forty miles beyond Saybrook. There the English surrounded them. The evils of a divided command were strikingly illustrated by the contrast between the vigorous and efficient operations of the late campaign and the hesitation and delays now. Some were for cutting down the trees round the village to clear a space for an assault, others were for blockading it with a palisade. Some again wished to attack at once; others would wait till the next morning. At last it was decided to send an interpreter and demand a surrender. Old men, women, and children, two hundred in all, obeyed the summons and gave themselves up prisoners. Of the fighting men who stayed behind, seventy made a sortie, and were suffered to escape through the incompetence of Patrick. The remainder, a hundred and eighty in number, seemingly made no attempt at resistance and were led off as captives.[2] The Mohawks, to whom Sasacus had fled, killed him and sent his scalp-lock as an offering to Boston.[3] All that remained of the nation, lately so terrible, was a few scattered bands of fugitives, who were hunted down by the English and their savage allies.

Mohicans and Narragansetts both wish to incorporate the Pequods.

A difficulty now arose with the friendly Indians. The adoption of a prisoner was a familiar usage among the savages. It is clear that the ties of political union and allegiance sat lightly on them, and that where community of blood and speech existed, the members of one tribe were readily absorbed into another. The Pequods who had been actually taken during the war were allowed to be the bondslaves of the English, though it would seem as if they were no very profitable acquisition. But those who were yet at large, nearly two hundred in number, were coveted as adoptive tribes-

1 Mason, p. 145; Winthrop, vol. i. p. 233.

2 This last attack is described fully by Mason (pp. 146–148), and by Winthrop (vol. i. p. 233). Mason, oddly enough, does not mention the place. Winthrop describes it as within twenty or thirty miles of the Dutch.

3 Winthrop, vol. i. p. 235. Gardiner, p. 151.

men both by the Mohicans and the Narragansetts.[1] Uncas, it is clear, thought by acquiring this addition to build up the power of his tribe, to oust the Narragansetts from their position of supremacy, and possibly to undermine their alliance with the English. Roger Williams threw himself into this dispute with characteristic eagerness.[2] His kindly sympathy with the Indians never degenerated into irrational sentiment, nor blinded him to their vices. There is something of apology in the tone in which he assures Winthrop that he "observes in Miantonomo some sparks of true friendship."[3]

The treaty of Hartford.

In the autumn of 1638 the remnants of the Pequods, to the number of some two hundred warriors with their families, formally submitted to the English. On the twenty-first of September a solemn conference was held at Hartford, at which the Pequods were divided between the Mohicans and the Narragansetts. A hundred of them were allotted to Uncas, eighty to Miantonomo, and twenty to Ninigret, a chief ruling over those who dwelt at Nyantic, a Narragansett by blood but independent of Miantonomo. The Pequods were to discard their own name, and to be henceforth called Mohicans and Narragansetts. At the same time the memory of their separate nationality was, somewhat inconsistently, kept alive by the imposition of a tribute.[4]

Effect of the Pequod War.

The overthrow of the Pequods meant even more for New England than the escape of Connecticut from massacre and destruction. By it the whole territorial relations between the English and the Indians were reversed. Hitherto the settlements in the Connecticut had formed an isolated strip, an isthmus, as it were, thrust out from New England into the midst of the sea of barbarism. But now, by the annihilation of the Pequods and the secure establishment of the townships on the Connecticut, the remaining Indian tribes were in their turn detached and hemmed in. The new settlements inland and the whole body of those along the coast, from the mouth of the Connecticut to Boston, were brought into direct communication. The political unity of New England was but a question of time.

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1 Gardiner, p. 151. 2 Williams' letters are full of references to this.

3 Letter to Winthrop, July, 1637 (*Narr. Hist. Coll.*, vol. vi. p. 47).

4 I can nowhere find any draft of this treaty. The substance of it is given by Williams in a letter published in Potter's *History of Narragansett* (p. 77). This book forms the third volume of the *Rhode Island Historical Society Collection*.

CHAPTER VI.

THE SETTLEMENTS SOUTH OF CAPE COD.[1]

Formation of settlements in Narragansett Bay.

While Englishmen were thus making good their ground against all rivals in the valley of the Connecticut, a more tranquil process of extension was at work on the shores of Narragansett Bay. That colonization was in a large measure carried out by men whom Massachusetts abhorred and would fain have hindered. Yet none the less was it an integral part of the work which Massachusetts had set herself to achieve. Rhode Island was to New England what New England as a whole was to the mother country. In each case the emigrants were outcast children, whose work yet served the common end and redounded to the glory of the parent state. In another way the history of Rhode Island was a copy in miniature of the history of New England. In Rhode Island the process of union was reproduced on a small scale and in a primitive form. A group of petty communities found the necessary conditions for union in their common origin, in contiguity, and in the need

1 Neither Newhaven nor Rhode Island had at their foundation any contemporary chronicler of their own. The early history of each colony must be learnt from the records, which are themselves in a somewhat mutilated state, from letters, and from incidental references in the Massachusetts historians. Winthrop becomes a secondary and, as we shall see, not always a trustworthy authority. Indeed, we must look with some suspicion on everything that the Massachusetts writers tell us about the heretical and anarchical settlers of Rhode Island.

The records of Rhode Island, including those of the four separate townships before they were united, were published in 1856–1862. They form seven volumes, extending from 1636 to 1776, and are edited by Mr. J. R. Bartlett.

The records of Newhaven were published in 1857. They form two volumes, extending from the foundation of the colony down to its union with Connecticut. There is unfortunately a gap in them from 1650 to 1652. They are edited by Mr. C. J. Hoadly. Mr. Samuel Greene Arnold, in his *History of Rhode Island*, has brought together all the extant materials. He brings out more clearly than any previous writer the distinct threads of the history of the various settlements. My references to Mr. Arnold's book are to the third edition, that of 1878. The *History of New England, with particular reference to the denomination called Baptists*, by Isaac Backus, 1777, contains much valuable information about Rhode Island. The author was minister of a Baptist Church at Middleborough, in Plymouth, and his work contains many extracts from unpublished documents of great importance.

for mutual support against the jealous hostility of the parent state. Rhode Island indeed furnished a striking illustration of the capacity of the New England Puritans for organized civil life. The men who successfully founded the settlements which grew into Rhode Island were assuredly not men of special enlightenment. They had for the most part broken with Massachusetts, not so much because she was narrow and dogmatic, as because the narrowness and dogmatism of her divines was of a different pattern from their own. Yet out of this material was formed a vigorous and progressive commonwealth, whose political institutions were shaped in obedience to her actual wants, and bore no trace of any fanciful theory or exclusive temper.

The isolated plantations which grew into Rhode Island differed but little at the outset from other small independent settlements which were gradually absorbed into the greater New England colonies. They were distinguished from them, not so much by their origin and mode of life, as by their later history. That their destiny was different, that they were able to form and maintain an existence of their own, was due partly to the circumstances of their origin, partly to the personal ascendency of the man who was in some measure their founder, and throughout their chief guide and counselor, Roger Williams. That charm of character and that power over men which even Williams' enemies recognized, and which indeed made him formidable to them, soon brought him companions and disciples in his banishment. Williams' own wishes would have led him to prefer the career of a missionary, an English counterpart of Lallemand or Brebeuf, among those savages whose life interested him so deeply, and whose hearts he so well knew how to win.[1] Four wanderers, one a banished fugitive from Dorchester, asked leave to join him. Of the motives for that union, so fertile in results, we are told nothing. A sixth associate soon presented himself. The first choice of a site was at Seekonk. That, however, proved to be within the limits of the Plymouth patent. Winslow, then Governor, fearing that the reception of the fugitives might be distasteful to Massachusetts, asked Williams to go further, pointing out to him the merits of the country to the south, and promising that his own people should be friendly to the new settlement.[2]

Roger Williams and his associates.

1 Williams' own words at a later day were, "My soul's desire was to do the natives good . . . . and therefore desired not to be troubled with English company." This was stated by Williams in evidence in a judicial inquiry in 1677 (Arnold, vol. i. p. 97).

2 Williams to Mason (*Mass. Hist. Coll.*, 1st series, vol. i. p. 276).

Williams' scrupulous regard for the rights of the savages and the claims which he had already established to their good-will made it at once needful and easy for him to gain their consent to his settlement. By a formal grant Canonicus and Miantonomo made over to him the fertile territory between the Pawtucket and Patuxet rivers. The tract thus bounded is about ten miles in breadth along the coast, widening to nearly double that extent between the upper waters of the two rivers. Landward the plantation was separated from the older colonies by the country of the Pokanokets. For the present any settlement in Narragansett Bay was an isolated outpost in one direction, just as Connecticut was in another.

Purchase of land from the Indians.[1]

Williams soon found fresh associates in those who either, like himself, had been driven out, or had voluntarily seceded on religious grounds, from Massachusetts.[2] The spot chosen for their abode was a tongue of land between the mouth of the Seekonk and the deep inlet formed by the union of three smaller rivers. The grant from Miantonomo vested the fee simple of the soil in Williams. He in turn sold it in small lots at thirty shillings each to his associates. It would seem however that this charge was only made till he had repaid himself for his original outlay.[3] It is also not unlikely that he thereby exercised some rights of excluding any inhabitants of whom he disapproved. The colony was called Providence. At first an informal meeting every second week sufficed for the simple affairs of the little commonwealth.[4] But during the summer of 1636 need arose for some formal definition of citizenship. Small as the community was, yet it contained two orders. An instrument is yet extant by which Williams transferred his territorial rights to twelve others, reserving for himself only an equal share with them. The proprietary association thus formed was to have

Constitution of the settlement.

1 If the original grant from the Indian chiefs was executed in writing, no copy of the contract is found to exist. The Rhode Island records contain two very distinct memoranda of the transfer, one dating from 1638, the other from 1639 (vol. i. pp. 19, 22). It is also described in a deposition made by Roger Williams in 1682, published in the *Mass. Hist. Coll.*, 2nd series, vol. vii. p. 75.

2 This, I think, is clearly implied in a letter written by Williams to Winthrop soon after the establishment of the settlement at Pocasset. It has no date, but was written while Winthrop was Deputy-Governor, namely, between May, 1636, and May, 1637. It contains a reference to an intended attack on the Pequods, probably Endicott's expedition. If this be so, the letter must have been written in the autumn of 1636. The letter is published in the *Narragansett Historical Society Publications*, vol. vi. p. 3.

3 Williams says in the above letter, "The inhabitants paying thirty shillings apiece as they came, until my charge be out for the particular lots."

4 The letter above mentioned.

a right of admitting fresh members, probably by a process of subdivision.[1] Besides these proprietors and the members of their families there were unmarried young men, in all likelihood day laborers. This latter class now claimed to be admitted to an equal share in the management of affairs.[2] How far that claim was granted does not appear. All that we know certainly is that about the same time, and in all likelihood as a result of this demand, an agreement was signed by thirteen settlers, pledging them to yield "active and passive obedience to the majority of the present inhabitants, being masters of families incorporated together in a town fellowship, and others whom they shall admit unto them."[3] That the thirteen who signed this were "young men" and not themselves householders is rendered almost certain by the fact that none of them figure in the list of twelve proprietors to whom Williams made over his territorial rights. Thus from these two documents we can in some measure infer the condition of the settlement at that date. It consisted apparently of thirteen proprietors, in whom the possession of the soil and the control of public affairs were vested, and thirteen others in a position of dependence. The coincidence of number may be accidental, but one is strongly tempted to see in it a community of farmers, each cultivating his allotment by the help of his own family and of one hired laborer.

The settlement which offered a fertile soil and a refuge from the spiritual tyranny of Massachusetts was not likely to lack recruits, and in two years from its foundation the colony numbered close upon sixty citizens.[4] The Massachusetts writers tell us nothing of the increasing prosperity of the new community. The one episode in the early life of Providence on which they dwelt with complacency was a dispute between the settlers and a certain Verin. He refused to let his wife attend the ministrations of Williams, not, as it would seem, from any objection to them in themselves, but on the ground that they were too frequent. Verin's conduct was treated as an infringement of freedom of conscience, and he was disfranchised.[5] Winthrop adds that some of the congregation at Providence would have gone

Affair of Verin.

1 R. I. Records, vol. i. p. 22.

2 The letter above mentioned.

3 R. I. Records, vol. i. p. 14.

4 In 1638 there were fifty-four persons holding lots of land at Providence, besides others at Patuxet (R. I. Records, vol. i. pp. 24, 27).

5 The whole incident is told by Winthrop (vol. i. p. 283). Verin's disfranchisement is formally entered in the records (vol. i. p. 14). We have Williams' account of the matter in a letter to Winthrop (4th series, *Mass. Hist. Coll.*, vol. vii. p. 245).

further, and wished to divorce Verin's wife and assign her to some other man who should use her better.

The difficulty with Verin may have made the settlers feel the need of some definite ecclesiastical organization. About the end of 1638 there seems to have been an influx of Baptists from Massachusetts to Providence. Prominent among them were one Ezekiel Holyman and Mrs. Scott, a sister-in-law of Mrs. Hutchinson. They confirmed any leaning which Williams already had towards Baptist, or, as they were then called, Anabaptist tenets. He was formally baptized by Holyman, and then administered the same rite in turn to Holyman and ten others.[1] This has been generally looked on as the establishment of the first Baptist Church in America.

Formation of a Baptist Church.

Winthrop tells of these proceedings, not indeed with explicit condemnation, but with an undertone of contempt, and adds that Williams and those who thought with him "would have no magistrates."[2] His information as to the doings of the Providence settlers was not likely to be wholly free from hostile coloring, nor is it uncharitable to suppose that his account was unconsciously tinged with ill-feeling. He was not the man to look with much sympathy or even toleration on the struggles of a little society of religious fanatics, possessed with a somewhat morbid craving for theological novelties.

But even making allowance for the prejudices of a Massachusetts chronicler, we may believe that the condition of Providence at this time was one of disturbance. In the summer of 1640, it was found necessary to mark off Patuxet as a separate township. Later events showed that some at least of the settlers at Patuxet had no friendly feeling towards their neighbors at Providence. There is nothing to tell us how far the two bodies remained for the present under one government. At the same time that the separation was made something like a new constitution was framed, but it does not appear whether this constitution applied to the whole colony or only to those who stayed at Providence. In consideration of the differences existing in the colony four arbitrators were appointed. Besides settling the bounds of the plantation at Patuxet, they were to draw up a system of administration and of civil and criminal law and procedure. Five Select-men were to be appointed by the whole body

A constitution formally established.[3]

1 Winthrop, vol. i. p. 293.

2 *Ib.*

3 For these proceedings see R. I. Records, vol. i. p. 27

of freemen to dispose of the lands, to conduct public affairs, and to admit new members. In the last-named matter they were to notify the rest of the community of their intentions and to hear any objections. There were to be no special tribunals. In civil cases the parties interested were to appoint arbitrators; if they failed to do so, the duty of judging devolved on the Select-men. In criminal cases, apparently, the whole body of inhabitants was to sit in judgment, to interpret the law, and to enforce the penalty. The townsmen were to meet quarterly to hear the report of the Select-men, and when necessary to elect their successors. The term during which these Select-men were to hold office was not specified. Besides the quarterly meetings, any citizen who was aggrieved by the Select-men might summon a special meeting.

The singularly crude system of jurisdiction thus established was far more likely to create differences than to heal them, and, as we shall hereafter see, there was some justification for those who spoke of Providence as a hotbed of anarchy.

The intolerance of the Massachusetts government soon sent fresh settlers to the shores of Narragansett Bay. In the autumn of 1637, a party of those who shared the views of Wheelwright and Mrs. Hutchinson anticipated the sentence of banishment, and left Massachusetts in quest of a new home. At their head was William Coddington, who had lately sat as a deputy for Boston, and John Clarke, a physician and a man of considerable ability, lately arrived from England. The summer had been exceptionally hot, and the desire for a cooler site led the fugitives to turn northwards. But a winter on the coast of Maine made them change their purpose, and they again set forth, with a vague project of settling near the mouth of the Hudson. They were arrested in their quest by the beauty and apparent fertility of Narragansett Bay, and halted at Providence. Williams entertained them kindly, and set out with them to act as their guide in their search for a home. Their first choice lit on a spot which proved to be within the Plymouth patent. By attaching themselves to any existing government they

Emigration to Aquednek.[1]

[1] The emigration to Aquednek is fully told in a pamphlet entitled *Ill News from New England*, written by Clarke, who at a later day was persecuted by the government of Massachusetts for preaching Baptist doctrines. It was published in London in 1652. It is republished in the fourth series of the *Mass. Hist. Coll.*, vol. ii. The passage to which I refer is at p. 24. The emigration is shortly, and somewhat contemptuously, noticed by Winthrop (vol. i. p. 265). The dealings of the emigrants with Plymouth are very fully related in a letter from Bradford to Winthrop, April 11, 1638, published in *Mass. Hist. Coll.*, 4th series, vol. vi. p. 151.

would have forfeited the liberty for which they sought. The men of Plymouth however were anxious to have the new-comers as neighbors, and called their attention to Aquednek, not yet named Rhode Island. This formed part of the territory of the Narragansetts. Williams' good offices were again successfully used with Canonicus and Miantonomo. According to Williams, his task was made easier by the friendship which the Indian sachems felt for Vane, and which they apparently extended to those who were in some sort Vane's followers.[1] The spot chosen was well suited for a small isolated settlement. Eight years before Dudley had marked it, and had been told by the Indians of its freedom from frosts and of its fertility, a report which was confirmed by the abundant natural vineyards. They had added that for a small compensation the Indian inhabitants would vacate it.[2] This they now did on payment of twenty-three coats and thirteen hoes, and the English settlers entered on exclusive and undisputed possession of the territory.[3] The waters of the bay, sheltered by Aquednek and by two smaller islands to the south, promised as well for maritime commerce as did the fertile soil for agriculture. The emigrants, nineteen in number, now constituted themselves formally into a body politic. To us, living in old societies whose beginnings are hidden in a dim and uncertain past, there is something strange and even unreal, in the spectacle of a body of men coming together voluntarily and declaring themselves a commonwealth. To the New England Puritan, resolved to assert his independence of the past, and yet keenly alive to the value of civic and social unity, such a declaration was no meaningless formality. His ecclesiastical institutions familiarized him with the principle of such association, and served to give a religious coloring to the form of it. In this case the declaration was as follows: "We do here solemnly, in the presence of Jehovah, incorporate ourselves into a body politic, and as He shall help will submit our persons, lives, and estates unto our Lord Jesus Christ, the King of kings and Lord of lords, and to all those perfect and most absolute laws of His, given us in His holy words of truth, to be guided and judged thereby." To the declaration was appended a reference to three texts in Scripture, where the Jewish nation,

1 This is stated in a deposition drawn up by Roger Williams about 1658 (Backus, vol. i. p. 91): "Rhode Island was purchased by love, by the love and favour which that honoured gentleman Sir Henry Vane and myself had with that great sachem, Miantonomo" (Aug. 25, 1658).

2 Young, *M. C.* p. 323.

3 R. I. Records, vol. i. p. 49.

at successive stages of its growth, solemnly recognized the Divine government.[1]

Constitution of the colony.

The spot chosen for the settlement was at the northeastern corner of the island, separated from the mainland by a strait of less than a mile wide. For the present it seems to have kept the Indian name of Pocasset. The constitution was even simpler than that of Providence. The whole body of freemen formed a self-elective corporation.[2] All public affairs were settled at town meetings.[3] Coddington was elected chief magistrate by the title of Judge, with a Secretary and a Clerk. Small executive offices were created as they were wanted. All male inhabitants between sixteen and fifty were to take part in military training.[4]

By the beginning of 1639, the colony had so increased as to make an extension of this machinery needful. Three Assistants, or, as they were called, Elders, were elected to act with the Judge in making laws and administering the affairs of the commonwealth.[5] The government thus formed was to give an account of its proceedings at town meetings held every quarter, and these might revise or repeal its actions. Soon after steps were taken to preserve the peace by the appointment of a Constable and a Town Sergeant.[6] Two other entries in the public records would seem to show that these appointments were made in anticipation of some disturbance. Aspinwall, who had been appointed Secretary at the foundation of the colony, was suspected of seditious designs, and was on that ground forbidden to finish a boat which he was building.[7] Provisions were also made for a general muster of the inhabitants at Coddingtons house in case of any sudden alarm.[8]

Separation of the colony.

It has been thought, with some probability, that these precautions were symptoms of disaffection, which a little later brought about a temporary disruption of the settlement. After her banishment from Massachusetts Mrs. Hutchinson with her husband joined the settlers at Aquednek. Her masterful and contentious spirit soon brought her into conflict with authority. She found a supporter of somewhat kindred temper, though of far inferior mind, in one Samuel Gorton,[9] who for

1 R. I. Records, p. 52. 2 *Ib.* p. 53.
3 Each of these general meetings is recorded, with the names of those present.
4 R. I. Records, vol. i. p. 61. 5 *Ib.* p. 63.
6 *Ib.* vol. i. p. 65. 7 *Ib.* pp. 64, 66. 8 *Ib.* p. 68.
9 Gorton's name stands second in the list of those who drew up the civil compact afterwards (R. I. Records, vol. i. p. 70).

the next twenty years or so played a leading part in New England history. He was, in the language of his contemporaries, "a proud and pestilent seducer,"[1] which may be looked on as the Puritan designation for one who would in these days be denounced or respected as a crotchet-monger and an agitator. His character and conduct, though overlaid by the denunciations of his opponents, are amply disclosed to us by his own writings. They represent him as a singularly puzzle-headed and illiterate man, full of courage and energy, and honest, so far as honesty is compatible with a morbid passion for the notoriety which is gained by the upholders of unpopular views. There is room for doubt as to the exact nature of the proceedings by which the colony was for a while sundered. Winthrop represents the affair as a tumultuary insurrection followed by the forcible deposition of Coddington.[2] We can seldom err in trusting his authority on any matter of fact. Yet the point was one about which he was in special danger of being misled. Any symptom of disunion among the banished Antinomians was sure to be made the most of at Boston, just as any symptom of disunion among the Massachusetts Puritans was made the most of in England. Coddington's own words would rather imply that he and his supporters withdrew quietly in the interests of peace. He clearly states too that many of those who at the outset took part with his opponents, soon repented and joined themselves to him.[3]

Before leaving Pocasset Coddington and seven of his chief supporters drew up a compact, whereby they bound themselves to establish a plantation in the midst of the island or elsewhere at their joint cost, to be under the management of Coddington as Judge, and of the other seven as Elders.[4] The newly formed community soon found a home on the shores of that noble harbor from which it took the name of Newport. A line roughly drawn from north-east to south-west divided the island into two nearly equal parts, one of which was assigned to each of the two settlements.[5] Fifty-nine persons formed the new commonwealth at the outset, and during the summer of 1639 the number was swelled by fresh emigrants to over a hundred.[6] The constitution of the new community was

Constitution of Newport.

1 Morton, *New England's Memorial*, p. 135. 2 Winthrop, vol. i. p. 296.

3 Coddington's own account of the matter is to be found in a letter to Winthrop, Dec. 1639 (*Mass. Hist. Coll.*, 4th series, vol. vii. p. 278). His words are, "I am removed twelve miles further up into the island."

4 R. I. Records, vol. i. p. 87. 5 *Ib.* p. 108. 6 *Ib.* p. 91.

fully as simple as that which had existed before the separation. The Judge and Elders were to sit as a judicial court once a month, while all public business was to be carried on at quarterly meetings, at which the Judge was allowed two votes.[1] One might have supposed that the position of the island and the departure of its savage inhabitants would have made the military discipline of the colony unimportant. Yet every male was compelled to drill, and no man was to be five miles from a town unarmed, or in that state to attend any public meeting.[2] The latter clause of this law was soon put in force against one of the chief Elders, Easton.[3]

Proceedings at Pocasset.

Twenty-nine settlers had stayed at Pocasset. They too drew up a formal agreement, declaring themselves a body politic, and also formally accepting the authority of the King and his laws. Hutchinson, described by Winthrop as "a man of very mild temper and weak parts, and wholly guided by his wife," was elected Judge with seven Assistants.[4] Their duties were to transact public business, to lay out lands, and to try small cases. Trial by jury was instituted, and the name of the settlement changed to Portsmouth.[5]

Reunion of Newport and Portsmouth.

For rather more than a year the two settlements remained separate. In March, 1640, they were formally reunited. Of the circumstances of that union we know even less than we do of the separation. Winthrop chronicles and Hubbard copies the tale of how the heretical settlement was sundered, but no Massachusetts writer tells how it was again made one. Yet the short duration of the two separate governments and the completeness of their union shows that the breach, if there were one, cannot have been serious. It would seem from the records that the overtures for reunion came from the formerly discontented settlers at Portsmouth. It is noteworthy that among the names of those who apply to be readmitted that of Gorton does not appear. It is not unlikely that the departure of that firebrand, or possibly some feud between him and the other settlers at Portsmouth, may have removed the chief cause of separation. In March, at a court held at Newport, the two towns were incor-

1 R. I. Records, vol. i. pp. 87, 90.
2 *Ib.* pp. 93, 94.
3 *Ib.* p. 95.
4 Winthrop, vol. i. p. 296.
5 R. I. Records, vol. i. pp. 70, 71. The records of Portsmouth during the short time of separation are in a very mutilated state. Mr. Savage adds a long but wholly erroneous note by Mr. S. Eddy, of Rhode Island. His error is very fully pointed out by Mr. Arnold (vol. i. p. 134).

porated under one government.[1] The forms, and to some extent the substance, of the constitution were altered. There were to be no Judges and Elders, but a Governor, a Deputy-Governor, and four Assistants. Equality of representation between the two towns was introduced. The Governor and two of the Assistants were to be chosen from one, the Deputy-Governor and the other two Assistants from the other. The courts were to sit alternately in each town. No formal superiority was conferred on Newport, but its harbor and the ease with which it could be approached soon made it the chief settlement on the island. No attempt was made to transfer the work of legislation to deputies, and the freemen of the two towns still met in the General Court of the settlement.[2] In the following summer stringent measures were adopted for military discipline. The train-band of each town was to drill at intervals of six weeks, and the whole united force was to muster at each of the towns once in the year.[3] At the same time a formal treaty was made with the Narragansetts. The Indians were not to kill hogs, set traps, nor leave fires alight on the island. Common Indians might be punished for small offences by the English magistrates, but if the matter were important, or if the accused were a chief, notice was to be given to Miantonomo, that he might attend the trial.[4]

In the next year it was thought well to define formally the civil and religious constitution of the colony. In March, 1641, the Assembly drew up a formal declaration in the following words: "It is ordered and unanimously agreed upon that the government which this body politic doth attend unto in this island and the jurisdiction thereof in favor of our Prince is a Democrat or Popular Government; that is to say, it is in the power of the body of freemen orderly assembled, or the part of them, to make or constitute just laws by which they will be regulated, and to depute from among themselves such ministers as shall see them faithfully executed between man and man."[5] At the same time it was enacted that there should be a state seal, a sheaf of arrows bound together, with the motto, "Amor vincit omnia," the words and the device in combination signifying that unity of love which was to be the bond of the new commonwealth.[6] It is noteworthy that in this enactment a colonial

Constitution of the colony.

1 R. I. Records, vol. i. p. 100.
2 The whole constitution is set forth in the Records (vol. i. pp. 100, 101).
3 R. I. Records, vol. i. p. 104.
4 *Ib.* vol. i. p. 107.
5 This is given in full in the Records (vol. i. p. 119).
6 *Ib.* p. 125.

legislature for the first time ventured to speak, not of a colony but of a state.

At the same time a resolution was passed "that none be accounted a delinquent for doctrine, provided it be not directly repugnant to the government or laws established."[1] Such a declaration could not pledge the legislature at any future time, and the painful experience of Massachusetts had shown that the reservation on behalf of civil order might easily be made a pretext for persecution. Yet such an enactment was not on that account without its value. It was a formal declaration and public recognition of a general principle of policy.

As might be expected, the liberal and enlightened policy of the Aquednek settlers earned them only contempt from their neighbors in Massachusetts. We read in Winthrop's chronicle how Mrs. Hutchinson broached new heresies every year,[2] and how the teaching of Nicholas Easton, "a tanner, a man very bold, though ignorant," brought the settlement into "such a heat of contention that it made a schism among them."[3]

With all Winthrop's wisdom he had not so far raised himself above the prejudices of his age as to see that heresy which proclaims itself aloud is usually far less dangerous than heresy which is suppressed by the arm of the law. As yet there was no prospect of political union between the settlers at Aquednek and their neighbors at Providence. That was to be brought about at a later day by the vigorous will of him whom we may call the founder of the colony, Roger Williams, aided by events and influences which had not yet come into being.

Colonization of Newhaven.

The colonization of Newhaven possesses an importance out of proportion to its direct and obvious results. The founders of that settlement carried out the principles on which New England was settled in a more thoroughgoing and uncompromising form than any other set of colonists. Every one of the New England colonies, save the insignificant settlements to the north, set out with a strong respect for scriptural precedent in secular politics. Nevertheless, constitutional traditions and those modes of thought and action which had become matters of instinct with Englishmen had at least as strong an influence on the lives of the colonists as the scriptural models which they professed to follow. The settlers of Newhaven carried

1 R. I. Records, vol. i. p. 113

2 Winthrop, vol. ii. p. 38.

3 *Ib.* p. 40.

out the theory on which they started with more logical completeness than their neighbors. They deliberately framed their constitution in the closest possible adhesion to the literal text of the Bible. The other colonies too, while they adopted the theory that each church was independent, never scrupled to override that theory if the necessities of political or ecclesiastical administration made the application of it inconvenient. Newhaven, at least at the outset, made all things else subservient to the independence of the individual churches.

The two founders of the colony, as they may not improperly be called, were Theophilus Eaton and John Davenport, the former a layman, the latter an ordained clergyman. Eaton was, in the words of Winthrop, a man "of fair estate and of great esteem for religion and wisdom in outward affairs."[1] He had been a leading member of the Baltic Company, and had acted as their agent abroad. The experience thus acquired had earned him an appointment as ambassador at the Danish court. He had been among the original Assistants of the Massachusetts Company, but, perhaps owing to his absence from England, had taken no active part in its proceedings. Of Davenport we know but little, save the general outline of his earlier career, and what may be learnt from the eulogies of New England writers, eulogies too conventional and uniform in tone to be of much biographical value.

There is nothing to show the exact number of those who came out with Davenport. They were mostly Londoners, many of them wealthy men, with schemes of trade more ambitious than those of the Boston settlers.[2] Their original design, it is said, was to settle within the bounds of Massachusetts.[3] That view seems hardly consistent with the peculiar form which their civil constitution afterwards took. To carry out the conception of a state based upon and identified with a congregational church, as it was carried out by the founders of Newhaven, needed a clear field, unencumbered with any pre-existing institutions. It is at all events evident that Davenport's followers came out as a distinct body, and kept that character during their sojourn at Boston.[4] Newhaven, in short, was settled not from, but merely through, Massachusetts.

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1 Winthrop, vol. i. p. 226.

2 Winthrop tells us little about these emigrants. Hubbard for once supplements him, and gives a very full account of their position and schemes (pp. 317, 318).

3 Hubbard, p. 317.

4 Winthrop (vol. i. p. 237) mentions "Mr. Davenport's company."

Eaton and Davenport landed in Massachusetts to find the colony in the very agony of the Antinomian contest, and not yet relieved from the terror of the Pequod war. To remain in Massachusetts would have been incompatible with the special designs for which the emigrants had come out, and, despite the anxiety of the leading men there to retain them, they only regarded it as a halting place.[2] They wisely devoted six or seven months to familiarizing themselves with the country and making careful search for a site. The campaign against the Pequods had disclosed to the men of Massachusetts the value of the territory along the shore south of Narragansett Bay, especially about the mouth of the Quinipiak. Stoughton, who commanded the Massachusetts contingent, wrote to Winthrop from the scene of the last victory, urging that if the colony wanted an addition of fertile territory, it should be looked for in that quarter, and not along the banks of the Connecticut.[3]

Eaton and Davenport land in Massachusetts.[1]

In the autumn of 1637 Eaton and some of his associates set forth to inspect the site thus recommended.[4] Davenport stayed for a while at Boston, where, no doubt, so able a recruit was highly valued by the orthodox party.[5] Eaton's report of the country was satisfactory, and in the next spring he was followed by Davenport and his disciples, and by some of the Massachusetts settlers who cast in their lot with them.[6] Though more than one of the Massachusetts churches would fain have enlisted the new-comers, yet it is clear that the scheme of colonization was looked on with approval by the civil authorities.[7] This seems at first sight somewhat strangely at variance with the discountenance previously shown towards the emigrants to Connecticut. But we shall see that it became henceforth a settled principle with the Massachusetts government that the country south of Cape Cod should be, if not in political subjection to them, at least as far as possible in friendly hands. Moreover the colony at Quinipiak might be of use to support Connecticut, and

Choice of a site.

1 Winthrop, vol. i. p. 226.

2 The overtures made to Davenport and Eaton by various townships in Massachusetts are described by Winthrop (vol. i. p. 259). The reasons for which they were declined are set forth in a letter written to the Governor and Assistants by Davenport and Eaton in March, 1638. This letter is given by Mr. Savage in an Appendix, vol. i. p. 484.

3 Stoughton's letter is published by Mr. Savage in an Appendix, vol. i. p. 478.

4 Winthrop, vol. i. p. 237.

5 His name repeatedly occurs in the Antinomian disputes.

6 Winthrop, vol. i. p. 259.

7 Winthrop, in the passage just referred to, says, "We expected to see a good providence of God in it."

to link it to the older settlements. The Massachusetts statesmen thought too, that by spreading their settlements over a wide territory, they would make it more difficult for the authorities in England to bring them under a single government.[1] Nor had they the same reason to fear the disapproval of the home authorities as in the case of Connecticut. There they might well feel that the movement would be looked on as an intrusion by the Massachusetts government on territory to which the Crown had a claim. The settlement of Newhaven was a step for which the Massachusetts government could reasonably disclaim all responsibility.

Like the settlers at Providence and Aquednek, the founders of the colony at Quinipiak sought for no territorial title beyond one obtained by contract with the Indians. In the winter following their arrival they made two successive purchases of land.[2] The whole tract thus obtained extended eight miles northeast of the Quinipiak river, and five miles southwest of it, and ran ten miles inland.

Purchase from the Indians.

The settlers continued to act with the same deliberation which they had shown in their choice of a site. For more than a year they remained without any formal legislative or judicial machinery, content to wait till fuller experience should suggest the pattern of their new constitution. Their only bond of union over and above such ecclesiastical organization as they might already possess was a so-called "plantation covenant"—a declaration, that is, of their corporate civil existence, analogous to the church covenant which served as a basis of religious union and possibly suggested by it. This agreement only pledged the settlers in general terms to accept the rule of Scripture, not merely as a religious system, but also as a civil code. There is no definite record of any ecclesiastical organization, but it is not unlikely that many of the settlers were already members of a church under the ministry of Davenport.[3] Such union however, if it existed, was only regarded as temporary and provisional, since in the following year a church was formed afresh. Moreover some sort of civil authority must have been for the time vested in one or more of the leaders. Let the bond of spiritual brotherhood have been ever so strong, no community

Condition of the colony during its first year.

1 Winthrop, as above.

2 Newhaven Records, vol. i. pp. 1, 5.

3 It would not be safe to assume that when Winthrop spoke of "Mr. Davenport's Company" he meant a congregational church.

would have trusted to that alone for the maintenance of law and order. We know too, that, when in the following year a civil constitution was established, all trusts for the management of public affairs were formally abolished,[1] a clear proof that such existed, though unrecorded.

A constitution framed.[2]

In June, 1639, the whole body of settlers came together to frame a constitution. A tradition, seemingly well founded, says that the meeting was held in a large barn. According to the same account, the purpose for which they had met and the principles on which they ought to proceed were set forth by Davenport in a sermon. "Wisdom hath builded her house, she hath hewn out seven pillars," was his text. There is an obvious connection between this and the subsequent choice of seven of the chief men to lay the foundation of the constitution. But it does not follow that the seven men were chosen in obedience to the letter of the text. The Puritan often justified rational measures by fanciful analogies, nor is it impossible that the text was chosen as appropriate to a policy already in the preacher's mind. Davenport set forth the general system on which the constitution ought to be framed. The two main principles which he laid down were, that Scripture is a perfect and sufficient rule for the conduct of civil affairs, and that church-membership must be a condition of citizenship. In this the colonists were but imitating the example of Massachusetts. Yet the cases were not identical. In Massachusetts, the majority of the legislature framed a test which must have actually disfranchised some who had hitherto enjoyed the rights of citizenship, and which divided the community into a privileged and a non-privileged order. The founders of Newhaven may not improbably have believed that the church and the commonwealth would be identical. In any case all who, not being church members, came in the face of the disqualification, joined the colony with the full knowledge of what lay before them. After the sermon five resolutions, formally introducing Davenport's proposals, were carried. If a church already existed, it was not considered fit to form a basis for the state. Accordingly a fresh one was framed by a curiously complicated

1 Newhaven Records, vol, i. p. 20.

2 The proceedings of this meeting are described in a MS., apparently contemporary, published in the Newhaven Records, vol. i. pp. 11–17. It is thought by the editor to be in the handwriting of Thomas Fugill. He was in that year appointed notary to the Court. Trumbull gives a few details not mentioned in this, such as the place of meeting and the text of Davenport's sermon.

process. As a first step twelve men were elected. These twelve were instructed, after a due interval for consideration, to choose seven out of their own number, who should serve as a nucleus for the church. At the same time an oath was taken by the settlers, which may be looked on as a sort of preliminary and provisional test of citizenship, pledging them to accept the principles laid down by Davenport. Sixty-three of the inhabitants took the oath, and their example was soon followed by fifty more.

By October, four months after the original meeting, the seven formally established the new commonwealth. They granted the rights of a freeman to all who joined them, and who were recognized members either of the church at Newhaven or of any other approved church. The freemen thus chosen entered into an agreement to the same effect as the oath already taken. They then elected a Governor and four Magistrates, or, as they were for the present called, a Magistrate and four Deputies. These officers were to be chosen yearly, but the claim of Eaton to the governorship was never disputed during the twenty years which passed before his death. The judicial system differed from that of the other New England colonies in that it rejected trial by jury, possibly because it could not be justified by any scriptural precedent. A public Notary and a Marshal were appointed. The functions of the Governor and Magistrates were not defined. Indeed, but one formal resolution was passed as to the constitution of the colony, namely, "that the Word of God shall be the only rule attended unto in ordering the affairs of government."[1]

Other settlements in the neighborhood of Newhaven.

The principle on which the colony at Quinipiak was formed forbade any wide local extension. It was restricted by the same limitations which the Greek philosopher recognized in his ideal state. The citizens must have opportunities for acquiring familiarity one with the other.[2] The whole community was a single congregation, and from the preacher even less than from the herald could the voice of Stentor be required.[3] Thus the colony did not extend its own boundaries; it served as a model for other independent communities. In 1639

1 These proceedings are all entered in the Records (vol. i. p. 20). The appointment of a Governor and Magistrates is also shortly but clearly described in a letter from Coddington to Winthrop, December 9, 1639 (*Mass. Hist. Coll.*, 4th series, vol. vii. p. 278).

2 Ἀναγκαῖον γνωρίζειν ἀλλήλους, ποῖοί τινές εἰσι, τοὺς πολίτας (Arist. *Pol.* b. vii. ch. iv. 13).

3 Τίς γὰρ στρατηγὸς ἔσται τοῦ λίαν ὑπερβάλλοντος πλήθους; ἢ τίς κῆρυξ μὴ Στεντόρειος; (*Ib.* 11).

two other parties of emigrants, each numbering about forty, and, like those who founded Newhaven, joined together as an independent church, formed settlements, one, afterwards Guildford, seventeen miles north, the other, afterwards Milford, eleven miles south, of Quinipiak. Both settlements were placed on lands purchased from the Indians. Though politically independent of the colony at Quinipiak, they apparently copied the constitution of it, since each appointed seven men as magistrates and legislators. In this respect for the number seven they were not only imitating the orthodox church at Newhaven, but, undesignedly, no doubt, the Antinomian communities in Aquednek.[1] Besides Guildford and Milford, other settlements soon came into existence in the neighborhood of Quinipiak, or, to give it the name which had now been formally conferred upon it, Newhaven. These were the plantations at Rippowams and Yennycock, afterwards known as Stamford and Southold. Stamford was on the mainland, Southold opposite, on the western shore of Long Island. This settlement was of no small importance as an encroachment on Dutch territory. As such it will come before us again. The records now in existence fail to explain the exact relations between these plantations and the government of Newhaven. But it is clear that their position was not like that of Milford and Guildford, one of complete independence. Thus, in 1642 we find in the Newhaven records reference to the deputies for Stamford, while at the same time the court of Newhaven formally substitutes that name for the Indian one of Rippowams.[2] So, too, the same Court appoints a constable for Yennycock pending the appointment of a magistrate.[3] And we can hardly err in applying to Southold and Stamford an entry in the records that Courts should be held at Newhaven every April and October for the plantations in combination with this town.[4]

Whatever may have been the exact constitutional position of these settlements, it is at least clear that Newhaven had abandoned the principle on which she set out, that of making each church an independent community for civil purposes. The principle of union once adopted was soon carried

Consolidation of the colony.

1 The Newhaven records tell us nothing of the settlement of Guildford and Milford. The process is fully described by Trumbull (vol. i. p. 107). His account is apparently taken from the records of the townships. There is in the *Massachusetts Historical Collection* (1st series, vol. i. pp. 182–8) an account of the first settlement of Guildford. It is taken from a manuscript by Thomas Ruggles, who was pastor of the church of Guildford from 1695 to 1728. The account is in all likelihood taken from the town records.

2 Records, vol. i. p. 69. 3 *Ib.* p. 70 4 *Ib.*

further. In 1643 Guildford and Milford gave up the position of independence, and came within the jurisdiction of Newhaven.[1] One incident of this union illustrates the tenacity with which the colony held to the principle of a religious test for citizenship. The government of Milford had been less exacting, and had admitted six freemen who were not members of the church there. Were they to be accepted as citizens of Newhaven in their capacity of freemen or excluded as not being church-members? The matter was settled by a compromise. Their local rights were to be preserved, and they were to vote for the representatives of their town. But they were not to vote for magistrates, either themselves or by proxy, nor to be eligible for office, and henceforth none but church-members were to be admitted as freemen of the various townships. The same limitation of political power is very clearly marked in an account which we have of Guildford, based, it would seem, on the town records. None but church-members were admitted as freemen. The magistrates of the town were chosen from among them, and they had the right of managing all business that was "interesting or honorable." This, no doubt included the election of all state officials. It did not however include the division of the lands of the township or the passing of by-laws to regulate town matters. These were settled by the town meeting, composed not only of the freemen but of the whole body of planters —that is, of adult male inhabitants who possessed a certain qualification of property. The powers of this last body extended to the infliction of fines and corporal punishment.

The admission of these new members made it necessary to revise the constitution of the colony. The supreme legislative power was to be vested in the General Court, consisting of the Governor, the Deputy-Governor, the magistrates, and the Deputies, of whom each township was to return two. The Court was to sit twice a year, and unless there were some urgent reasons to the contrary, it was always to meet at Newhaven. Though, as it would seem, the Deputies and magistrates were to sit together, yet a majority of either body might veto a measure. The magistrates were to be elected by the whole body of freemen, voting either in person or by papers, and were

Necessary changes in the constitution.

1 The incorporation of Guildford is not stated in the records, but is referred to (p. 110). The case of Milford and the compromise as formally settled is recorded in the same place with a minuteness which shows that the admission of those who were not church-members was a matter of very grave deliberation. The record, indeed, expressly states that the matter was "seriously considered by the whole Court."

to sit as the chief judicial court, and also to have local jurisdiction in the townships wherein they dwelt. This jurisdiction was to extend to civil cases of not more than twenty shillings value. They had also power to inflict a fine of twenty shillings or the penalties of whipping and the stocks in criminal cases. Though the magistrates for each township were elected by the whole body of freemen, yet it would seem that if a township was left without a resident magistrate it had power to fill the vacancy for itself.[1] In the following year we find a special entry recording that the burgesses of Guildford were empowered in the absence of a resident magistrate to elect four Deputies who should act as a local court.[2] Doubtless the short career of these outlying plantations as independent political bodies was not without its permanent influence. Their civic life was not lost; it reappeared in their municipal institutions.

General condition of the colony.

We may from the records and from other materials extant form a fairly complete idea of the condition of the colony. Two hundred and ten inhabitants took the oath of fidelity as freemen, a measure which may have been suggested by the troubled state of affairs in England.[3] The test of church-membership must have excluded a considerable number, if it be true that as early as 1639 there were three hundred houses at Newhaven.[4] A document is extant, showing us the number of landholders in 1643, with the extent both of their holdings and their families.[5] The whole number of householders is a hundred and thirteen, and their collective families make up four hundred and twenty. The largest estate is three thousand acres, held by Eaton. This is followed by eight others of a thousand acres each. Of the whole number forty-seven, less that is than half, fall short of a hundred acres each. The whole question of wages and prices was made the subject of legislation in 1641. Special provisions are made for the hiring of teams and boats, for the payment of such workmen as plasterers and joiners, and for substantial timber fencing.[6] All these show that the colony had at this early date passed the stage when all its labor was needed for the necessaries of life. Indeed it is clear that the founders of Newhaven were,

1 These constitutional arrangements were set forth in the Records (vol. i. p. 112).

2 Newhaven Records, vol. i. p. 131.

3 *Ib.* p. 137.

4 This is stated by De Vries, a leading man among the Dutch settlers in New Netherlands. He made several voyages to America, and wrote an account of them, published in 1655. A translation of this work by Mr. Henry C. Murphy was privately published at New York in 1853. The visit to Newhaven is briefly mentioned at page 125.

5 Newhaven Records, vol. i. p. 91.

6 *Ib.* p. 52.

measured by the ordinary standard of New England, men of wealth, able to indulge, if not in luxury, at least in outward show. The Massachusetts writers who describe the colony dwell on its complete streets, its stately and costly houses, "laid out in very gallant form."[1] Yet we learn from the same source that the prosperity thus indicated was not maintained. Neither was the soil immediately about the town fertile nor the harbor commodious. The distance, too, from Boston was a drawback to the trade of the settlement. An entry in the records shows us indeed that Newhaven traded with Massachusetts, Connecticut, and Virginia.[2] But before many years some of the merchants who had begun the colony had forsaken it, others had turned farmers, and the outward aspect of the town told of its waning prosperity.[3] The final blow seems to have come in 1644, from the loss of a ship in which, as a last speculation, the Newhaven merchants had embarked their remaining capital. She was launched in the dead of winter, was frozen up in Newhaven harbor, and only went out to perish unheard-of at sea. The vision of a ship which seemed to enter Newhaven harbor and then vanish, reflected, one may believe, by some strange atmospheric process, some three years later, was by a not unnatural superstition connected with this mishap, and the prominence which the whole matter assumed in New England tradition showed that the loss was no common calamity.[4]

Effect of the settlement of Newhaven.

The settlement of Newhaven is marked by more than one noteworthy feature. In the process by which the various separate townships grew into one commonwealth we see for the first time enacted on a small scale, what was afterwards done in a larger field. Political, or rather ecclesiastical, theories suggested separation, but the necessities of mutual support and defence commanded union. So it was with the New England Confederation, so it was with the American Republic. The settlement of Newhaven, too, was not merely an illustration of the necessity of union; it was itself an important element in the process by which the New England colonies were brought together. The extension of the English towards the Hudson, a process to which Connecticut was also contributing, necessarily brought with

1 Johnson, b. ii. ch. 8; Maverick, p. 23. 2 Newhaven Records, vol. i. p. 35.

3 Maverick, p. 23; Hubbard, p. 321.

4 Winthrop tells of the freezing up of the vessel in 1645, but not of its subsequent loss, and of the apparition of the vessel in 1648. But he does not connect the earlier incident with the later. Hubbard twice mentions the loss of the vessel, but says nothing of the apparition. Cotton Mather (*Magnalia*, b. i. p. 25) was apparently the first writer who connected the two events. Probably in this he only followed popular tradition.

it the risk of a collision with the Dutch, and increased the need for mutual defence.

The settlement of Newhaven, too, not merely made union needful, but it helped to make it possible. The great obstacle to confederation was the superior strength and the overbearing temper of Massachusetts. A federal alliance can never be satisfactory where one member towers over the rest. The weaker states must ever be in danger of sinking into a position of dependent alliance. In the case of the New England colonies that difficulty was never wholly overcome. But the settlement of Newhaven greatly lessened it. In all matters concerning the Dutch and the Indians, the interests of Newhaven and Connecticut were likely to be identical. Plymouth was sure to throw its lot in with them rather than with the colony which had ever shown itself a jealous and exacting, at times an unscrupulous, neighbor. Massachusetts was often strong enough to override the just claims of her confederates, but she could not wholly ignore them.

CHAPTER VII.

THE SETTLEMENTS NORTH OF MASSACHUSETTS.[1]

MEANWHILE the territory to the north of Massachusetts was being colonized from motives and on principles widely different from those which governed the settlement of New England. The plantations which afterwards grew into Maine and New Hampshire had an origin not unlike that of the Southern colonies. An individual or a company acquired a tract of unoccupied land. The actual settlers who emigrated and tilled the soil were, like the live stock and the capital

General character of the settlements north of the Piscataqua.

[1] The early history of New Hampshire and Maine is beset with difficulties. Happily its importance is not equal to its intricacy. The archives of New Hampshire, including the records of the four separate townships which formed the germ of that colony, were published in 1867–73, edited by Dr. Bouton. They extend down to 1776. The most important part of them for the period now before us is the correspondence between Mason and his agent Gibbons. Some of these letters are also given in the Appendix to Belknap's *History of New Hampshire*, published in 1812. Belknap's is a clear narrative, based mainly on the manuscript records of the various New Hampshire townships, those of Massachusetts, and on Winthrop's History. In some cases he refers to Winthrop, not directly, but through the somewhat untrustworthy medium of Hubbard. Belknap was not always severely critical in his examination of evidence, and there can be little doubt that he was more than once imposed on by forged documents. Mr. Farmer, who edited Belknap's History in 1831, has added some valuable matter in the form of notes. My references are to this edition. A document of great value for the early history of New Hampshire was brought to light in 1876. It is the agreement between David Thompson and three merchants of Plymouth. It is published with a very full explanatory monograph by Mr. Deane, in the *Proceedings of the Massachusetts Historical Society* for 1876. This, coupled with the evidence of Maverick's book, described at page 14 *n*, throws an entirely new light on Thompson's position and on the early history of the settlements on the Piscataqua. Maverick's evidence is of great value both for New Hampshire and Maine. The most important events in the history of the townships on the Piscataqua, their union with Massachusetts and the circumstances which led to it, are fully told by Winthrop. There is also much valuable material in the publications of the New Hampshire Historical Society.

The materials for the history of Maine during this time are very scanty. The early records have never, so far as I can ascertain, been published in an authentic and connected form. Fragments of them have been preserved in Hazard, in the *Massachusetts Historical Society's Collections*, and in the *Maine Historical Society's Collection*. One or two details have been preserved by Winthrop. Hubbard appears to have enjoyed special opportunities for acquiring information about the northern settlements, and he often supplements the deficiencies of our other authorities. The narrative of Gorges has necessarily some value, but it is at once prolix and incomplete. I have thought it best to deal with various points of controversy pertaining to this chapter in an Appendix.

expended in husbandry, part of the machinery which the proprietors employed to make their grant profitable. Such a community did not, like the Puritan colonies, begin life with definite political principles or a preconceived system; its institutions were shaped by practical needs.

There could be but little community of interest or sentiment between these settlers and their Puritan neighbors. Nevertheless, Maine and New Hampshire, as we may by anticipation call them, had an important influence on the history of New England. Neither Massachusetts nor that republic which owes so much of its peculiar character to Massachusetts has ever been indifferent to the motive which we call patriotism when we would approve, and lust of territory when we would condemn. The attitude of the colonies on the northern border of Massachusetts was one of the first influences which called out that passion and kept it alive. When a partial and imperfect incorporation was brought about it must have infused into Massachusetts an element alien from the dominant Puritanism, not indeed large, but yet strong enough to have an influence on the life of the state. Moreover it can hardly be too often said that the history of the United States is the history of a continuous process of union. Every step in that direction is important, since it lessened the number of separate members which had to be united, and also familiarized the community with the process and educated it for its final destiny.

Relations to New England.

The recklessness, probably too the geographical ignorance, of the Plymouth Council showed itself in their distribution of the land north of the Merrimac. Individuals from time to time received grants, given on no connected system, and often contradicting and encroaching on one another.[1] If we knew the details of those grants we should not improbably find that in some instances the smaller grantees were tenants of the larger, and that in other cases land once assigned was left unoccupied, and thereby forfeited and regranted.

Grants of land by the Plymouth Council.

Among the adventurers who employed themselves in settling to the north of the Merrimac two stand out prominent. These were Gorges and John Mason.[2] The early career and the colonial schemes of the former have already been sketched. The fulfillment of those schemes, so far as they were

John Mason.

1 For a list of these grants between 1621 and 1636 see Appendix B.

2 It is scarcely needful to say that he is wholly distinct from the conqueror of the Pequods.

fulfilled, will soon come before us. Mason, like his associate, has suffered in reputation, partly from the indifference, partly from the active hostility of the Puritan chroniclers, while the meager reports of unfriendly critics cannot in this case be supplemented from his own writings, and but scantily from general history. Perhaps the best testimony to Mason's character is the absence of any specific charge of dishonesty or immorality. The fairest and most moderate of the Puritan chroniclers describes him as "the chief mover in all the attempts against us."[1] But this means no more than that he was unfriendly to Puritanism, and an energetic and aggressive rival to the New England traders, and that in consequence he was anxious to see the colonies brought under one central government. The records of his settlement show that he was sagacious in the management of it and liberal, indeed lavish, in his expenditure. In fact, of all those members of the Council who parceled out the land of New England between them,[2] only Mason and Gorges seem to have taken any interest in their territory or bestowed any care upon plantation. Events showed that the system which they adopted was unsuited to the conditions of the country. Personal supervision and manual labor were more needed than capital, and there was no place for the absentee landowner. But if New England could have been settled by the same process which answered in Virginia and Maryland, Mason was apparently well fitted to succeed.

He seems to have begun his American career as Governor of Newfoundland under the company of proprietors, chiefly Bristol merchants, who held a patent for that colony. There is nothing to show the exact date of his appointment. We know that his predecessor, Guy, held office in 1611,[3] that Mason himself was Governor in 1621, and his successor, Slaney, in 1627.[4] That Mason was an active and capable man may be assumed from the position which he held in the public service, and from the manner in which he was regarded by those under whom he served. We learn from the State Papers that he was Commissary-General for victualing the Cadiz expedition in 1626.[5] We find him described by Lord Wimbledon, who was in command of that expedition, as a man deserving a better office,[6] and in the next year

1 Winthrop, vol. i. p. 187. 2 For this division see above (p. 144).

3 There is a proclamation by Guy in the State Papers, dated August 13, 1611. It is calendared under December, 1618.

4 *Colonial Papers*, 1621, March 16; 1627, Nov. 2.

5 *Domestic Papers*, 1626, May 25. 6 *Ib.*

he was appointed Treasurer of the Army.[1] His own letters show him to us as an active, capable man, not afraid to tell his superiors unpalatable truths.[2]

There were at least two settlements on the territory which afterwards formed New Hampshire earlier than those established by Mason. The first of these was that already mentioned, formed by David Thompson and three Plymouth merchants, Colmer, Sherwill, and Pomery. The historian of Plymouth tells us just enough to show the continued existence of this plantation. The site of it was in all likelihood the present township of Rye, a few miles south of the mouth of the Piscataqua.[3] Thompson himself left in 1626, and became an independent settler upon an island in what was afterwards Boston harbor.[4] What became of the settlement after Thompson's departure is uncertain. But a list of the plantations which subscribed towards helping Plymouth in the expedition against Morton is still extant. Among the contributors was "Pascataquack." This, in all likelihood was the settlement established by Thompson. Probably it was at some later day amalgamated with the neighboring settlement of Portsmouth, and the rights of the proprietors either lost by disuse or transferred by some agreement no longer extant.

The other settlement was at Cocheco, afterwards called Dover, some fifteen miles up the river, on the western bank. It was founded by two brothers, Edward and William Hilton, sometime fishmongers in London. The same document which proves the existence of the settlement at "Pascataquack" in 1628, also mentions Hilton's settlement. Another document shows that in or before 1630, the Hiltons took as partners in their venture certain merchants from Bristol and Shrewsbury.[5]

Though Mason had taken out at least two patents for land in New England before 1629, he had made no attempt seemingly to turn them to account. But in that year he, Gorges, and seven others formed themselves into a partnership, entitled the Laconia Company. If this body was formally incorporated, no trace of the instrument remains. The territory which gave the name to

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1 *Domestic Papers*, 1627, May 16.

2 See, for example, his letters to Edward Nicholas, clerk of the Council, remonstrating against the delay in paying the troops and against other negligence in the public service (*Domestic Papers*, 1627, Jan. 19, May 7).

3 Deane, in *Proceedings*, p. 368.

4 See above, p. 81.

5 Belknap refers to a manuscript copy of this patent. It has never been printed, and, as far as I can learn, neither Mr. Bouton nor any other writer has seen it. It is more than once referred to in documents of about 1630.

it was granted to Gorges and Mason, and was vaguely described as on the Iroquois lakes.[1] In 1630, a Captain Walter Neal was sent out by the partners as their agent. His instructions led him to undertake a voyage of discovery to the northwest, from which he returned without achieving any result.[2]

The chronicles of Massachusetts tell us two incidents of no great importance concerning Neal's sojourn at Piscataqua. In the autumn of 1632 the coast of New England was infested by a pirate named Dixy Bull. Only a few months earlier his name appeared among the partners of Gorges and Mason.[3] He seems to have gone out as a trader, and then, having been attacked and plundered by a French vessel, to have himself turned pirate. His first victims were some independent settlers, who had set up a trading station at Pemaquid, north of the Kennebec. Neal, on receiving news of this, set out against Bull with two pinnaces and two shallops, and sent for help to Boston. The government decided to send a bark with twenty men. Bad weather however prevented them from sailing. Neal's expedition, though hindered by the same cause, succeeded in driving away the pirates. Of their after fate all that we know is that Bull returned to England, and there, according to a Puritan writer, "God destroyed the wretched man,"[4] not however before he had done some injury to New England by his defamations.[5]

Dixy Bull.

It was Neal too who was employed to send to Gorges those letters from Sir Christopher Gardiner which brought such trouble on their author.[6] It is in all likelihood due to this that, when Neal visited Boston on his way back to England, his meeting with the authorities there was a somewhat unfriendly one.[7]

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1 This grant is in the *Colonial Papers*, 1629, Nov. 17. Though the document incorporating the Laconia Company does not appear, there are many contemporary references to the body by that name.

2 Neal's arrival is mentioned by Winthrop (vol. i. p. 38). Our knowledge of this expedition is the one original piece of information contained in *America Painted to the Life*, a pretentious and for the most part pirated work by Ferdinando Gorges, grandson of Sir Ferdinando. He also says that Laconia was so called from the lakes in it. Hubbard (p. 137) also mentions Neal's journey. His account is probably only an adaptation of that given by Gorges. Belknap has blundered strangely in his account of Neal's exploration. He has attributed to him a journey of discovery described by Winthrop as having been made in 1642 by one of the settlers at Piscataqua, an Irishman named Darby Field. Field, by his own account, saw many wonders and heard of others.

3 *Colonial Papers*, 1632, March 2.

4 Roger Clap, in Young's *Chronicles of Massachusetts*, p. 362. The expedition against Bull is told by Winthrop in various entries under the year 1632.

5 Edward Winslow, in his petition on behalf of the planters in New England, refers to their adversaries as Morton, Gardiner, and Dixy Bull, a pirate.

6 Winthrop, vol. i. p. 56

7 *Ib.* p. 106.

In 1631 the Company obtained from the Council for New England a more definite grant, comprising the house and plantation situate at Piscataqua lately belonging to Captain Neal.[1] He apparently was succeeded by one Ambrose Gibbons, and it is from the letters which passed between him and the partners that we know anything of the state of the settlement. There were three separate houses or trading stations, and tradition goes to show that one of these was the settlement originally formed by Thompson and the Plymouth merchants.[2]

State of the settlement at Piscataqua.

The report which Neal brought back seems to have fired the minds of the partners with dreams of a northern Eldorado. We find them vexing the soul of their factor by their neglect of useful and practical measures and their exhortations to him to "find out some good mines." We find Gibbons in his reply remonstrating with the adventurers for their mismanagement. They have, he says, left him without the necessaries of life, and the vines which they have sent out, on which they largely rely for profit, are unsuited to the country. He must be provided, he says, with cattle and good hired hands. "Great looks and many words will not be a means to raise a plantation."[3] In 1635 a proposed division of stock between Mason and his partners made it necessary to take an inventory of the possessions.[4] This hardly bears out Gibbons' complaints, unless indeed they had stimulated Mason to greater activity during the interval. The whole live stock consisted of more than forty horses, over a hundred cattle, nearly two hundred sheep, and fifty-four goats. The other property included twenty-two cannon and two hundred and fifty small arms, together with forty-eight boats, to be used, no doubt, for fishing. Nor can there have been any lack of labor, since there were fifty workmen, besides eight Danes who had been sent out to overlook the sawmills and to make potash. The plantation was plainly intended to be a permanent agricultural community, since there were twenty-two women among the settlers. Mason's enterprise is further illustrated by a well-authenticated tradition, telling how his agent brought to Boston a hundred Danish oxen, which were there sold for twenty-five pounds each.[5]

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1 *Colonial Papers*, 1631, Nov. 3. 2 For the evidence of this see Appendix B.

3 Belknap, p. 425. 4 It is given in the New Hampshire Records, vol. i. p. 113.

5 This is stated in the deposition of one Francis Small, made in 1685 (New Hampshire Records, vol. i. p. 45). Twenty-five pounds was not an exceptional price in New England at that time. Cf. Bradford, p. 229; Connecticut Records, vol. i. p. 451.

The same inventory throws light in another respect on the condition of the colony, and thereby does something to explain its later history. Among the articles enumerated was a set of church furniture. This attention to the decorum of worship makes it likely that Mason was a zealous Anglican, and may explain the bitterness with which he was regarded by his Puritan rivals. In 1634 Francis Williams was appointed agent or Governor of the plantation.[1] In the next year the division of the territory of New England gave the whole tract from Salem to the Piscataqua to Mason, and the land beyond it as far as the Kennebec to Gorges This only served as a formal confirmation of an arrangement which for practical purposes already existed.

This division was followed a few months later by the death of Mason.[2] The other parties seem to have dropped out of the undertaking, and the settlement was now left free to shape its own course. The colonists either elected Williams their Governor[3] or acquiesced in his continuance in office. The first recorded act of the community dates from five years later. It set forth that Williams, the Governor, Ambrose Gibbons, the Assistant, and eighteen others, inhabitants of Piscataqua, have built a chapel and parsonage house, and endowed them with fifty acres of glebe, that they have elected two churchwardens and an incumbent, and that, when the said incumbent dies "or his time agreed upon expires," they shall elect anew.[4]

Piscataqua becomes an independent settlement.

The Anglicanism of Mason's settlement served to sever the colonists there, not only from their neighbors of Massachusetts, but also from the plantation of Cocheco. Whether the Hiltons and their associates were definitely of the same way of thinking as the settlers at Plymouth and at Boston does not appear. But it is rendered strongly probable by the friendly relations which they and their manager, Captain Thomas Wiggin, always kept up with their Puritan neighbors.[5]

Puritanism at Cocheco.

In 1633 the Bristol merchants sold their share in the plantation

1 I think this may be inferred from Hubbard (p. 219), though his statement is not very explicit.

2 The exact date of Mason's death is not, as far as I know, specified anywhere. Winthrop, writing in May, 1636, says "the last winter Captain Mason died" (vol. i. p. 187). Mason's will is given in Hazard, vol. i. p. 400. The probate of it is dated Dec. 22, 1635. A Mr. C. W. Tuttle, writing in *Notes and Queries* (4th series, vol. vii. p. 265), says that Mason died between November 6 and December 22, 1635.

3 Belknap (p. 28) states that this was done.

4 This agreement is given in the New Hampshire Records, vol i. p. 111.

5 There are several references in Winthrop to Captain Wiggin, of Piscataqua.

to Lord Say and Sele, Lord Brook, and two other partners.[1] Wiggin remained Governor, and the transfer was followed by an influx of Puritan settlers and the establishment of a meeting-house.

Thus a barrier of religious difference was set up between the two plantations on the Piscataqua, and Massachusetts gained a foothold for a policy of aggression. Wiggin now brought out one Leveridge as a minister.[2] Leveridge was disappointed by the poverty of the colony, and withdrew to Sandwich in Plymouth,[3] leaving his flock to be the prey to a succession of adventurers and impostors. The first of these was one George Burdet, who seems in reality to have been acting as a spy for Laud in New England.[4] He adapted himself however to the temper of his Puritan associates so successfully as to succeed in ousting Wiggin and getting the government of the colony into his own hands.[5] Burdet's ascendency did not last long. After the persecution of the Antinomians some of the victims took refuge at Cocheco. Among them was Underhill. His services against the Pequods might have wiped out the stain of heresy which rested on his character. But he soon revived the memory of his misdeeds by his violent language against the government while he was on a voyage from England, by grave suspicions of unchastity, and by the levity with which he spoke of the Divine mystery of conversion.[6]

Religious disputes.

Upon hearing of the reception of these fugitives, the Massachusetts government sent a letter to the settlers at Cocheco, expressing their resentment, and containing a warning that their title to their lands might be open to question.[7] To this Burdet, we are told, returned a scornful answer.[8] The Massachusetts government then sent to Cocheco information about Burdet's character.[9] The letter was intercepted by Burdet and his adherents, and probably had no effect beyond quickening the hostility with which he already regarded the government of Massachusetts. Meanwhile Burdet seems to have lost his hold over the people of Cocheco, since before Winthrop's letter arrived they had elected Underhill

1 Winthrop (vol. i. p. 115) mentions this sale and its consequences.

2 Winthrop as above.

3 See Mr. Savage's note to the above passage.

4 See a letter from Burdet to Laud. *Colonial Papers*, 1638, Nov. 29.

5 This is expressly stated by Winthrop (vol. i. p. 291). It is not however quite easy to see what were the relations between Wiggin and Burdet. Winthrop's letter remonstrating against the reception of the Antinomians was addressed to "Burdet, Wiggin, and others of the plantation of Piscataqua" (Winthrop, vol. i. p. 276).

6 *Ib.* p. 270.

7 *Ib.* p. 276; Mass. Records, vol. i. p. 254.

8 Winthrop, as above.

9 *Ib.* p. 277.

as Governor.[1] Burdet must have left the settlement soon after, since he seems to have borne no part in the disturbances which followed, and in 1640 we hear of him at Agamenticus, where apparently he obtained much the same kind of popularity which he had for a while enjoyed at Cocheco.[2] His successor soon entangled the colony in disputes with Massachusetts, while to make its case worse it was torn asunder by the rivalry of two claimants for spiritual office, Knollys and Larkham, both clever adventurers, unscrupulous in their public conduct, and, as it would seem, dissolute in their private lives.[3] Of these Knollys had been already driven out of Massachusetts as a follower of Mrs. Hutchinson. Larkham too, if not actually expelled from Massachusetts, was in disfavor there. The two banished Antinomians, Knollys and Underhill, at once made common cause. The Massachusetts government had not unnaturally been incensed by the appointment of Underhill, and their anger was now quickened by the discovery that Knollys in a letter sent home to England had described the authorities in Massachusetts as tyrannical and irreligious.[4] Winthrop seemingly sent a private messenger to Knollys, telling him that his conduct was known. The culprit thereupon presented himself at Boston and made formal acknowledgment of his fault. Underhill at the same time did the like. Knollys' apology was accepted. Underhill's was so mixed with excuses and vindications that it was voted unsatisfactory, and he was a second time excommunicated.[5] Underhill had already embroiled himself with the settlers at Cocheco by attempting an unauthorized interference with the jurisdiction of the neighboring settlement, and by sending a magistrate to prison who said that he would not sit with an adulterer as Underhill was.[6] The little community was now broken into two parties, with Knollys and Underhill at the head of one and Larkham of the other. Knollys excommunicated his rival, while Larkham's followers in turn denounced Underhill as willing to hand over the plantation to Massachusetts. Knollys and Underhill resorted to force, whereupon the other side sent for help to Williams, the Governor of the lower colony. He came with an armed force, arrested Underhill and his followers, and then sat in judgment on them and banished them. The defeated party thereupon appealed for help to Boston. Three com-

1 Winthrop, vol. i. p. 326. 2 *Ib.* vol. ii. p. 10.

3 Larkhams' misdeeds do not seem to have been detected till after his departure from the colony, in 1642 (Winthrop, vol. ii. p. 92).

4 Winthrop vol. i. p. 307. 5 *Ib.* p. 326. 6 *Ib.*

missioners, Bradstreet, Hugh Peter, and Dalton, came over and restored peace.[1]

The reconciliation thus effected was happily confirmed by the departure of two of the chief combatants. Knollys was immediately afterwards detected in an act of unchastity and banished.[2] Underhill returned to Boston and was reconciled to the church. His restless temper, however, soon made him a wanderer again. He went to New Netherlands, where he distinguished himself as a soldier in the service of the Dutch government, and lived, it is said, to see his adopted colony pass into the hands of his own countrymen.[3] It is somewhat singular that during the very heat of these disturbances the settlers at Cocheco, in imitation, it may be, of their neighbors at Exeter, drew up a formal agreement by which they constituted themselves a body politic. The contract was signed by forty-one of the settlers, with the name of Larkham at the head. It does not specify the form of government, but only pledges those who signed it to submit to the King's laws together with all such laws as should be concluded by a major part of the freemen. As nothing was said as to the qualifications for citizenship, we must suppose that the freemen were a self-electing body.[4]

Meanwhile two other townships had come into existence within the territory claimed by Mason. Wheelwright, the banished leader of the Antinomians, had established a small settlement about ten miles inland on the southernmost tributary of the Piscataqua.[5] The claims of the Proprietor were apparently satisfied by agreement. Many years after evidence was adduced to show that Wheelwright had already obtained a right to the soil by purchase from the Indians in 1629. The document which is the only evidence for this sale is too full of anachronisms and improbabilities to be accepted as authentic, and there can be little doubt that those are right who regard it as the deliberately fraudulent production of some eighty years later.[6]

Settlement at Exeter.

1 Our chief authority for these disturbances at Dover is Winthrop (vol. ii. pp. 27–9). Lechford gives a short account of them.

2 Knollys' misconduct and banishment are recorded by Winthrop.

3 Mr. Savage's note to Winthrop (vol. ii. p. 15). Winthrop himself tells of Underhill's reconciliation (p. 41) and his subsequent departure (p. 63).

4 This combination is preserved by Hubbard (p. 222).

5 Winthrop, vol. i. p. 290.

6 Mr. Savage, the editor of Winthrop's journal, has gone into the question with great care in an Appendix. His arguments seem to me quite fatal to the authenticity of the deed. Dr. Bouton, the editor of the New Hampshire Records, takes the same view, and points out other anachronisms besides those noticed by Mr. Savage.

The new settlement was called Exeter. In 1639 the inhabitants formally constituted themselves a township, and bound themselves together by a civil compact.[1] The whole number of these was thirty-five, of whom fourteen had to sign with a mark. The agreement resembled that adopted in the following year by the settlers at Cocheco, but was at once fuller and more guarded. The settlers professed themselves to be subject to the King, "according to the liberty of the English colony of the Massachusetts." They further bound themselves to submit "to all such Christian laws as are established in the realm of England to their best knowledge, and to all other laws which should upon good grounds be made and enacted among them." Here, as at Cocheco, no provision was made, or at least expressed, either for the form of government or for admission to the rights of citizenship.

Each of the three townships had dealings of some kind with Massachusetts. In the case of Cocheco, or, to give it the name which it formally assumed in 1639,[2] Dover, these have been already described. It was scarcely possible that the government of Massachusetts could cherish friendly feelings towards the settlers at Exeter. Nevertheless, the church at Boston so far recognized them as to give Wheelwright and eight of his associates a formal dismissal, without which they could not have established a fresh church.[3] Between the Puritan government and the little Anglican community under Williams there soon sprang up a dispute. Richard Gibson, whom the settlers at Portsmouth had chosen for their parson, was accused of having written a letter to Larkham scandalizing the Massachusetts government. On this charge he was summoned to Boston, but was dismissed upon his making submission and announcing his intention of leaving the colony.[4] In the course of this case a point arose which foreshadowed an impending dispute. It would seem from Winthrop's account that one of the charges against Gibson was, that he had married and baptized among the fishermen at the Isle of Shoals, off the mouth of the Merrimac, and had thereby encroached on the jurisdiction of Massachusetts. Passages in contemporary letters show that Gibson was not the only settler at Piscataqua who was charged with "scandalizing"

Dealings of these townships with Massachusetts.

1 New Hampshire Records, vol. i. p. 131.

2 Winthrop, vol. i. p. 326.

3 Extract from the Boston church records, quoted by Belknap (p. 20). Winthrop (vol i. p. 281) mentions the dismissal.

4 Winthrop, vol. ii. p. 66.

the authorities in Massachusetts. If we may believe a letter from England written by Edward Howe, a very hot-headed admirer of New England Puritanism, to the younger John Winthrop, the Piscataqua settlers railed at Massachusetts as a country where there was no unity of religion and no ecclesiastical ordinances, and where men who kept hogs all the week preached on the Sabbath.[1]

Boundary disputes with Massachusetts.

So far this interference with the townships on the Piscataqua was only what might be expected from a powerful neighbor. But in the meantime the Massachusetts government was asserting and endeavoring to make good a further claim to jurisdiction over them. The dispute, like most of the disputes among the New England colonies, was caused, or at least made possible, by vagueness in the description of a boundary. The Massachusetts charter gave that colony for one boundary a line three miles north of the Merrimac river and of any and every part thereof. Did this mean that the boundary was to follow the course of the river, or that it was to start from a point three miles beyond the northernmost part of the river, and then run due east and west? The grant to Mason made it almost certain that the former had been intended by the donors. But the aggressive and somewhat unscrupulous character of the Massachusetts government made it equally certain that they would adopt the view more favorable to their own claims. The grant thus interpreted would bring all the townships on the Piscataqua within the boundary of Massachusetts.

Settlement of Hampton.

In 1636 the Massachusetts government took steps which certainly served, and were in all likelihood intended, as a direct assertion of their claim. By order of the Court a house was built upon a fertile salt marsh about half-way between the Piscataqua and the Merrimac.[2] Two years later a settlement was formed there, soon afterwards named Hampton.[3] The settlers at Exeter protested against this as being an intrusion on the lands which they had bought from the natives. Their remonstrance was unheeded, and a church with fifty-six members, mainly emigrants from Norfolk, was settled there.[4]

The attitude of affairs on the Piscataqua might almost be said

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1 *Mass. Hist. Coll.*, 4th series, vol. vi. p. 486.

2 Mass. Records, vol. i. p. 167; Winthrop, vol. i. p. 290.

3 Mass. Records, vol. i. pp. 236–7.

4 That they came from Norfolk is stated by Belknap (p. 21).

to invite Massachusetts to a policy of annexation. The Anglican settlement at Piscataqua and the Antinomian colony at Exeter could not fail to be objects of jealous watchfulness. Dover had called for the interference of Massachusetts in a manner which was almost an admission of its jurisdiction, while by establishing a settlement at Hampton Massachusetts had, as it were, thrust an outpost into the coveted territory. Nor was there any likelihood of united opposition. No tie of common feeling or interest bound together the inhabitants of the three separate plantations on the Piscataqua. Neither Mason's legal representatives nor his partners seemed to retain any concern in his colonial schemes, and though the energy of Gorges knew no abatement, he never troubled himself in the settlement established by Mason. As to the other Proprietors, they must have long seen that there was little to be made out of the settlements in the way of profit, while, if they entertained any religious or political designs, those would be best furthered by union with Massachusetts.

Union of the three townships with Massachusetts.

In 1639, during the heat of their ecclesiastical disturbances, the settlers at Dover made overtures to Massachusetts for incorporation.[1] Two years later these were renewed, and the settlers at Piscataqua, or, as it was now called, Strawberry Bank, joined in them. The arrangement was carried out by two distinct agreements. Massachusetts had to obtain a surrender of jurisdiction from the Proprietors and a personal submission from the inhabitants. Neither was attended with any difficulty. The Proprietors surrendered all political claims, reserving their possessory rights of the whole territory of Strawberry Bank and one-third of Dover.[2]

Two commissioners, Symonds and Bradstreet, were sent to negotiate with the inhabitants. It seems to have been a matter of some doubt whether they should be admitted by agreement on special terms, and so retain a certain amount of self-government, or simply be treated as if they were occupying part of the Mas-

1 Winthrop, vol. i. p. 319.

2 For these negotiations see Mass. Records, vol. i. pp. 270, 332, 342; Winthrop, vol. ii. pp. 38, 42; Belknap, p. 30. Winthrop's language seems to imply that the two patents, that of Dover and that of Strawberry Bank, were now in the hands of one set of proprietors. Belknap, who no doubt had original documents before him, seems to take the same view. If this were so there must have been some negotiation of which the traces have disappeared, by which Lords Say and Brook and their partners had acquired Strawberry Bank.

It is also to be noticed that Williams, writing to Winthrop in 1643, refers to the danger of Strawberry Bank suffering by encroachments either from the Dover settlers or from the patentees of the great house. This looks as if the Laconia partners or Mason's heirs, still retained one of the trading stations.

sachusetts territory. Finally a compromise was adopted. The newly incorporated townships were to be jointly represented by two Deputies at the General Court. The growth of Massachusetts had already made it necessary to supplement the central jurisdiction at Boston by three local courts, held respectively at Newtown, Salem, and Ipswich. This system was now carried somewhat further in the cases of Strawberry Bank and Dover. They were to be free from all taxes except local rates or imports by which they were in any way specially benefited, and they were to retain their rights of fishing and felling timber without reference to the General Court. Six magistrates were appointed, three from each of the two townships.

In 1643 Exeter followed their example, and was upon petition of the inhabitants incorporated with Massachusetts.[1] This proceeding led to the departure of Wheelwright, who emigrated northward, within the jurisdiction of Gorges.[2]

The accession of the townships on the Piscataqua had one important effect on the constitution of Massachusetts. The government was forced in their case to abandon the principle of requiring religious conformity as a condition of citizenship.[3] We here see how the gradual process of extension and incorporation served to temper the religious exclusiveness of Massachusetts. Nor can we doubt that the addition of these townships which had grown up as independent settlements contributed an element valuable to civil freedom.

Disturbances in the Church of Exeter.[4]

At the same time the affairs of Exeter illustrated the amount of supervision which the government exercised over the different churches, and the strict limits which were imposed on the principle of congregational independence.

After the departure of Wheelwright certain of the inhabitants of Exeter wished to choose as their minister one Stephen Batchelor. He had originally come out as pastor to a party of emigrants whom we shall meet with again under the title of the Plough patentees. After more than one change of cure, he had left Hampton under discreditable circumstances. His offence is perhaps best described in the words of Winthrop. He tells us how "Mr. Stephen Batchelor, the pastor of the church at Hampton, who had suffered much at the hands of the bishops in Eng-

1 The petition is in the New Hampshire Records (vol. i. p. 170); cf. Mass. Records, vol. ii. p. 43.

2 Winthrop, vol. ii. p. 162.

3 Mass. Records, vol. ii. p. 29.

4 For the whole of this matter see Winthrop (vol. ii. pp. 44, 177, 211) and Mass. Records.

land, being about eighty years of age and having a lusty, comely woman to his wife, did solicit the chastity of his neighbor's wife, who acquainted her husband therewith." The venerable victim of episcopal tyranny at first denied his offence, but soon after repented and made full confession. "The church, being moved with his free confession and tears, silently forgave him and communicated with him; but after finding how scandalous it was, they took advice of other elders, and after long debate and much pleading and standing upon the church's forgiving and being reconciled to him in communicating with him after he had confessed it, they proceeded to cast him out." This sentence was not received with unanimous approval, and Batchelor still found disciples influential enough to support him for a while. At length his enemies prevailed. Thereupon some of those at Exeter were for receiving the outcast as their minister. This, however, was forbidden by an order from the General Court. It would be unfair to take such men as Underhill, Knollys, Larkham, and Batchelor for representatives of anything but an exceptional and morbid type of Puritanism. Yet the proximity of the four offenders in time and place almost forces one to believe that the disease was far more widely spread than would be supposed from the uniform and indiscriminating eulogies of New England writers.

Early settlements in Maine.

In all likelihood the first settlement within the territory of Maine was that established by Levitt in 1623, on an island in Casco Bay.[1] About the same time probably Gorges made his first successful attempt at colonization in a plantation at Saco, under the management of Richard Vines.[2] In 1631, a company, with Gorges and Maverick among its members, made another venture. The site of the colony was on the coast ten miles north of the Piscataqua. The settlement was at first under the management of one of the partners, Colonel Norton, a follower of Gorges, who apparently had risen from the rank of a private soldier. He seems to have been superseded before long by William Gorges, a nephew of Sir Ferdinando. From the tone in which both Gorges and Maverick speak of the settlement, we

1 That Levitt settled in 1623 is settled beyond a doubt by his own statement in his *Account of a Voyage to New England* (*Mass. Hist. Coll.*, 3rd series, vol. viii. p. 171). This is confirmed by Bradford (p. 149). In the printed edition of Maverick's pamphlet Levitt's settlement is dated 1632. This is plainly either a misprint or a clerical error.

2 Gorges says (p. 79), "Richard Vines, a gentleman and servant of my own, who was settled there some years before, and had been interested in the discovery and seizure thereof for me, as formerly hath been related, by whose diligence and care these my affair had the better success."

may infer that it was prosperous. The proprietors would have called it Bristol, but for the present it kept the Indian name of Agamenticus.[1]

The division of 1635, vested the whole territory of Maine in Gorges. Two years later he granted a commission to six of the chief settlers in Massachusetts to govern the territory called New Somersetshire, a name which seems to be only used in this one instrument. The territory was defined as extending from Cape Elizabeth, a point a few miles north of Saco, to the Kennebec, or, as it is here called, the Sagadahoc. This did not take in either Saco or Agamenticus. If it had done so the commission might have had attractions for Massachusetts. As it was, it would simply have imposed the duty of controlling the scattered traders and the unruly fishermen along the coast. At the same time the Massachusetts settlers were anxious not to offend Gorges. Fortunately they were able to decline on technical grounds, since Gorges had inserted in the commission the names of two who had left the colony, nor did his own claim to jurisdiction seem clearly established.[2]

Two years later Gorges attained the fulfillment of his ambition, and became a colonial sovereign as far as any written conditions could make him one. In April, 1639, a charter was granted by the King constituting Gorges Lord Proprietor of Maine.[3] The territory was bounded by the Sagadahoc or Kennebec on the north and the Piscataqua on the south, and was to extend a hundred and twenty miles inland. The political privileges of the Proprietor were to be identical with those enjoyed by the Bishop of Durham as Count Palatine. He was to legislate in conjunction with the freeholders of the province, and with the usual reservation in favor of the laws of England. His political rights were to be subject to the control of the commissioners for Plantations, but his territorial rights were to be independent and complete in themselves. He was also to enjoy a monopoly of the trade of the colony. The only other points especially worth notice were a declaration that the religion of the colony was to be that of the Church of England, a reservation on behalf of all English subjects of the right of fishing with its necessary incidents, and the grant to the Proprietor of authority to create manors and manorial courts.

Gorges is created Proprietor of Maine.

1 The patent for this settlement is in the minutes of the Council for New England (*Colonial Papers*, 1631, Dec. 2). The settlement itself is clearly described by Maverick (p. 9) and by Gorges (p. 79).

2 Winthrop, vol. i. p. 231. 3 The grant is in *Colonial Entry Book*, LIX. pp. 61–92.

Constitution of Gorges' colony.[1]

There is something painful in the spectacle of the once vigorous and enterprising soldier amusing his old age by playing at kingship. In no little German court of the last century could the forms of government and the realities of life have been more at variance. To conduct the business of two fishing villages Gorges called into existence a staff of officials which might have sufficed for the affairs of the Byzantine Empire. He even outdid the absurdities which the Proprietors of Carolina perpetrated thirty years later. They at least saw that their elaborate machinery of caciques and landgraves was unfit for practical purposes, and they waived it in favor of a simple system which had sprung up in obedience to natural wants. But Gorges tells complacently and with a deliberate care, which contrasts with his usually hurried and slovenly style, how he parceled out his territory and nominated his officials. The province was to be divided into eight Bailiwicks or Counties, subdivided into Hundreds, and again into Parishes and Tithings. As Gorges never crossed the Atlantic the appointment of a Deputy-Governor was not an unmeaning form. With him were to be associated a Chancellor, a Treasurer, a Marshal, and an Admiral, each with a lieutenant to act as his judicial assessor, a master of the Ordnance and a Secretary. These were to be the standing Council, and with the Deputies elected by the freeholders were to form the chief legislative and judicial body. Justice was to be administered in each county by a Lieutenant and eight Magistrates, to be chosen by the Proprietor or his representative and approved by the Council. These in turn were to nominate Constables and Tithing-men. No land was to be transferred without leave of the Council.

The task of putting this cumbrous machinery into motion was entrusted by the Proprietor to his son, Thomas Gorges, as Deputy-Governor. On his way out he halted at Boston and propitiated the leading settlers there by consulting them as to the discharge of his duties.[2] His first task after appointing some officials was to banish that ubiquitous and discreditable adventurer, Burdet, who, having been driven out of Dover, had taken refuge at Agamenticus. There, according to Winthrop, he "ruled all and had let loose the reins of liberty to his lusts, so that he grew very notorious for his pride and adultery."[3] Vines apparently be-

1 The constitution of the colony is described by Gorges (p. 84).
2 Winthrop, vol. ii. p. 9. 3 *Ib.*

friended him. Burdet's enemies welcomed the arrival of Gorges, and at once brought the offender before the Court. After some discussion he was fined. He then fled to England with the intention of appealing, but soon got entangled in the troubles of the Civil War, and was imprisoned by the Parliamentary party. The Proprietor completed the organization of his state by constituting Agamenticus a borough, and soon afterwards, by a fresh instrument, a city, with a territory of twenty-four square miles, and a staff of nearly forty officials.[1] At first the judicial proceedings of the settlement were carried on at Saco. The obligation of attendance was found irksome by the more distant settlers, and they petitioned and obtained leave to have a local court at Agamenticus.

Meanwhile several other settlements had come into existence within the boundary of Gorges' patent. One was planted by Captain Thomas Cammock, a nephew to the Earl of Warwick, under a grant given in 1630. This, known as Black Point, formed the nucleus of the township of Scarborough. Two partners, Aldsworth and Eldridge, had a settlement at Pemaquid. These grants on the coast of Maine were, either through the ignorance of the grantors or the dishonesty of the grantees, a fruitful source of dispute. Thus, in 1632, the territory at the mouth of the Spurwink, now occupied by the town of Portland, was made subject of dispute between George Cleve and his partner, Tucker, on the one hand, and John Winton, the agent for Robert Trelawny, and Moses Goodyear on the other. Trelawny claimed it as having been directly conveyed to his employers by a grant in December, 1631, while his opponents had purchased the claim of John Bradshaw, whose grant dated from November in the same year.

Scattered settlements in Maine,[2]

Two of these grants had an important influence on the future history of the colony. In June, 1632, George Way and Thomas Purchase obtained a grant of a tract two miles broad along "the river Bishopscote."[3] This is apparently an odd corruption of the Pejebscot, better known as the Androscoggin. In 1639 Purchase formally made over this land to the Massachusetts government, thereby giving that colony its first hold on the land to the north of the Piscataqua.[4]

Settlement at Pejebscot.

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1 Hazard, vol. i. p 470.

2 For these grants see Appendix B.

3 *Colonial Papers*, 1632, June 16.

4 Mass. Records. vol. i p. 272. The place is there called "Pagiscott."

Another grant, which played a prominent part at a later day, was a somewhat mysterious document known as the "Plough patent." This instrument first came into notoriety in a territorial dispute in 1643. The main facts of the case are told shortly but clearly by Winthrop.[1] According to him, in July, 1631, ten husbandmen came from England, in a ship named the Plough, with a patent for land at Sagadahoc. But as the place did not please them they settled in Massachusetts, and were seemingly dispersed in the religious troubles of 1636. This account is confirmed and supplemented by two letters written by the members of the Company in England, one to Winthrop, the other to their associates in America.[2] From the latter of these we see that there had been a dispute between Gorges and the patentees as to the extent of the grant, and that the interpretation which the latter wished to put upon it would have taken in some settlements already in existence. At a later day the rights of the patentees were bought up, and were made a ground for ousting Gorges from a part of his territory. The contention of the purchasers was that the grant conveyed a tract of land reaching forty miles inland, extending from Cape Porpoise to Cape Elizabeth, and so taking in Gorges' settlement at Saco. Unfortunately the document itself is no longer extant, so that we cannot judge of the justice of this claim. But it is clear from the letter just referred to that this, or something very near this, was the claim of the original grantees. We may reasonably doubt whether that claim was ever valid, and we may be almost sure that it was not valid in the form in which it was revived at a later day. Gorges, whatever may have been his follies as a legislator, had no lack of shrewdness where his own territorial rights were concerned. We may be certain that he would never have dealt as he did with the land about Wells, while a dormant claim was hanging over him which he could have easily extinguished. As we have just seen, he knew the existence and the extent of the so-called Plough patent. In all likelihood he considered that, by the abandonment of the scheme, the territory had reverted to the condition of unoccupied soil.

The Plough patent.

1 Winthrop, vol. i. p. 58.

2 These two letters are published in a footnote in the *Mass. Hist. Coll.*, 4th series, vol vii. p. 88.

CHAPTER VIII.

THE NEW ENGLAND CONFEDERATION.[1]

The process by which the New England colonies each came into being was now complete. Henceforth we have only to deal with such changes as came about by their growth and combination. Experience had by this time made it clear that some sort of union between the various colonies was a necessity. Union indeed had been distasteful when it was likely to be enforced from without in a manner which would override local liberties and rights. But the state of affairs in England put an end to that danger, and the colonists were left free to enter upon a self-imposed union which should be consistent with local independence, and even helpful to it.

Necessity for union.

At the same time the very causes which made confederation a necessity were hindrances to the successful institution of any such system. To understand them we must go back a few years to survey what one may call the international politics of New England, the dealings of the colonies one with another and with the foreign neighbors upon their borders.

Obstacles to union.

We have already seen how the settlement of the Connecticut valley and the measures necessary against the Pequods introduced something of dissension between the colonies. These were not the only subjects of strife. The Plymouth settlers, it will be remembered, had established a trading station on the Kennebec,

1 The two main authorities for the history of the New England Confederation are Winthrop down to his death, which happened in April, 1649, and the *Acts of the Federal Commissioners*. These latter form the ninth and tenth volumes of the Plymouth Records. Several papers of value are contained in the *Hutchinson Collection*. For the Gorton controversy we have Winslow's pamphlet, entitled *Hypocrisy Unmasked*, and Gorton's *Simplicitie's Defence against Seven-headed Policy*, both published in 1646. The latter is reprinted in Force's Collection, vol. iv. It is to this that I refer. For all matters which touch on New Netherlands history, Mr. Brodhead's *History of New York*, published in 1859, is of great value. It contains copious references to the Dutch archives and to other somewhat inaccessible materials.

and had obtained from the Crown a patent giving them a monopoly of trade on the river and the right of enforcing that monopoly if needful by armed force. In defiance of this a certain Hocking, seemingly one of the settlers planted by Lord Say and Sele and his partners at Cocheco, forced his way in a bark up the river, intending to intercept the Indian trade above the Plymouth factory. Howland, the manager, remonstrated and threatened to use force. Hocking, after bidding him do his worst, went up the stream and came to anchor. Howland then sent an armed party with orders to cut Hocking's cable and let him drift down stream. This was done. Hocking fired on his assailants, and shot one Moses Talbot dead. Thereupon another of the party fired back and killed Hocking.

The affray on the Kennebec.[1]

The settlers at Cocheco at once wrote home to the Proprietors, giving them, Bradford says, a one-sided report of the affair. Soon after the Plymouth trading vessel went to Boston. Among those on board was John Alden, a leading man among the settlers. He had been at Kennebec, but had borne no part in the fray. Nor is it easy to see by what right the government of Massachusetts meddled in the business. Nevertheless they detained the bark for a while, and kept Alden as a prisoner. Standish was thereupon sent to treat for his release. This was granted, but not till Alden and Standish had both given security to appear and explain the matter. Dudley, then Governor, wrote at the same time to Bradford, acquitting the Plymouth settlers, though in a carefully guarded manner, of guilt. It is clear that the authorities at Massachusetts were really actuated by fear that New England would be discredited with the mother country. "It would give occasion to the King to send a general Governor over; and besides had brought us all and the gospel under a common reproach of cutting one another's throats for beaver."[2] Finally it was decided, by the advice of Winthrop, that a conference should be held by representatives from Cocheco and Plymouth at some convenient place, at which some of the leading men from Massachusetts might attend, and "the ministers of every plantation might be present to give their advice in point of conscience."[3]

The government of Plymouth, feeling confidence in the goodness of their cause, adopted this proposal, though somewhat

1 Bradford (pp. 199-202) and Winthrop (vol. i. pp. 131, 136, 139, 146) both describe this affair. Their accounts agree.

2 Winthrop, vol. i. p. 131.

3 Bradford, p. 202.

reluctantly. At the appointed time the representatives of Piscataqua failed to appear. The arbitrators from Boston, apparently Winthrop, Cotton, and Wilson, thereupon considered the matter and absolved the men of Plymouth from all blame. Winslow, who was about to visit England on the embassy before described, was instructed to explain matters to Lord Say and Sele and his partners, while Winthrop and Dudley at the same time wrote them a letter exculpating the men of Plymouth. The Proprietors received these explanations harshly and grudgingly, saying that they might have sent a man-of-war to beat down the house at Kennebec. They were content, however, to leave the matter in the hands of Wiggin, who was then agent at Cocheco, and of the Massachusetts government, and no more came of it.

Boundary dispute between Plymouth and Massachusetts.

In 1639 a direct dispute arose between Plymouth and Massachusetts. It might have been foreseen that as these colonies increased and extended, difficulties would arise about the boundaries. A fertile tract of meadow lay between Scituate, the northernmost township of Plymouth, and Hingham, a settlement on the southern borders of Massachusetts.[1] The settlers at the latter place staked out the meadow as their own, whereupon the Plymouth settlers pulled up the stakes. Each government maintained its territorial claim. A conference was held at which each was represented by two commissioners, who failed to agree. The northern boundary of Plymouth was a rivulet called the Cohasset. This had been definitely fixed by the charter of 1629. The Massachusetts patent was more open to dispute. It took for the southern boundary a line three miles south of the Charles river. But what was the Charles river? According to the contention of the Plymouth commissioners it meant the main stream, while the representatives of Massachusetts argued that it meant a small tributary to the south. After a dispute which lasted for about two years, a compromise was made by which the debatable land was divided between the two colonies.

The settlement of Connecticut had been attended with ill-feeling between Massachusetts and Plymouth. It soon gave rise to a dispute between the parent and the new colony. Although Massachusetts had at first kept up some jurisdiction over the settlements on the Connecticut, there could be no doubt that with one exception they lay outside her territorial limits, and accord-

[1] The only account of this affair is that given by Bradford (pp. 231-4).

ingly no attempt was made to retain them permanently. But one township, Agawam, afterwards Springfield, unquestionably lay within the boundaries of Massachusetts. A resolution is still extant, dated February, 1639, by which the inhabitants of Agawam, in consideration of the distance from the center of government, and in default of other instructions, appoint William Pynchon as their Magistrate, with very full judicial and executive powers. At the same time, in consideration of the paucity of settlers, six was substituted for twelve as the number needed for a jury.[1] The existence of a settlement adjacent to one colony and identified with it by commercial interests, but under the jurisdiction of another, could hardly fail to be a cause of dispute. Saybrook too might at any time give rise to difficulties in another quarter. A post essential to the security of the colony and able to intercept its commerce was in the hands of proprietors whose attitude towards the New England colonies had often been arrogant and never cordially friendly.

Dispute between Massachusetts and Connecticut.

All these sources of dispute, actual or possible, showed the need for some common jurisdiction. An even stronger motive to union existed in the necessity for mutual support against the Indians, against the Dutch in New Netherlands, and, in a less degree, against the French to the north. The Pequods might be crushed. But the Narragansetts and the Mohicans were ruled by two ambitious chiefs, Miantonomo and Uncas. War might at any time break out, and it was scarcely possible for the English settlers to avoid being entangled in it.

Danger from the Indians.

The jealousy of the Dutch had, as we have already seen, been already excited in the struggle to possess the valley of the Connecticut. From that time onward the anxiety of the English settlers to spread towards the south was a constant cause of dispute and ill-feeling. This was no doubt due in some measure to a deliberate policy of aggression on the part of New England. The Dutch were no match for their rivals in numbers, and we can trace a settled determination on the part of the English so to use their superior resources as to establish a claim of occupation over the lands between Newhaven and the Hudson. To "put forward their plantations and crowd on, crowding the Dutch out of those places where they have occu-

Encroachments on the Dutch territory.

1 This document is printed in the *Mass. Hist. Coll.*, 5th series, vol. i. p. 487.

pied," was the advice given to the Governor of Connecticut by Sir William Boswell, the representative of England at the Hague,[1] and to that policy his countryman held fast. The manner in which the territorial limits of New Netherlands were defined made it especially difficult to resist such aggression. The original charter granted by the Dutch government in 1614 fixed the boundaries of the colony.[2] The territory was defined as that lying between New France and Virginia, with a seaboard extending from the fortieth to the forty-fifth degree of latitude—in other words, from Passamaquoddy Bay in the North to a point about seventy miles south of Long Island. If this grant were to be accepted as valid, every settler in New England was an unauthorized intruder who owed allegiance to the Dutch government. Such a claim frustrated itself. The amicable relations between New Netherlands and Plymouth were tantamount to a condonation of the trespass and a withdrawal of the claim. But the failure of their theoretical frontier left the Dutch settlers without a frontier at all. The question simply came to this; which could occupy most rapidly and hold its position most resolutely? In such a struggle there could be little doubt who would win.

In bidding his countrymen "crowd the Dutch out," Boswell was but urging them to carry on a policy on which they had already entered. In 1639 a band of settlers from Connecticut, still recognizing the jurisdiction of that colony, established themselves at the mouth of the Housatonic, fourteen miles south of Newhaven. Stratford, as the new settlement was named, soon numbered fifty houses. In the same year that restless and somewhat unscrupulous man, Ludlow, gathered together a band of settlers, not exclusively from Connecticut, and settled at Uncoa. This proceeding was viewed by the government of Connecticut with some disfavor, and Ludlow was censured as having acted without due authority. The offence, however, was condoned, and the settlement was incorporated by the name of Fairfield.

English settlements towards the Hudson.

The tide of emigration soon flowed some twenty miles further down the coast, and two small settlements, as yet independent, sprang up at Norwalk and Stamford.[3] Simultaneously with the

1 This is contained in a letter written by Boswell from the Hague, Jan. 22, 1642, and published in the Connecticut Records, vol. i. p. 565.

2 For the New Netherlands charter see Brodhead, vol. i. p. 62.

3 For all these settlements see Brodhead, vol. i. p. 294; Connect. Records, vol. i. pp. 35, 52, 86.

settlement of Stratford, Patrick, who had played so discreditable a part in the Pequod war, settled himself with a few others at Greenwich, within thirty miles of Manhattan. The government of New Netherlands insisted on an acknowledgment of its supremacy, and after holding out for two years Patrick gave way.[1]

A like process of encroachment was going forward on Long Island. When the Council for New England, preliminary to its dissolution, portioned out its territory, Long Island fell to the share of the Earl of Stirling. In 1640 his agent, James Farrett, landed there, disposed of the claims of the natives to the soil by payment, and proceeded to make grants of land to settlers.[3] Farrett himself was speedily arrested by the Governor of New Netherlands. Undeterred by this, a party of emigrants from Massachusetts, acting under an instrument from Farrett, daringly settled at Schauts Bay, almost opposite Manhattan. A friendly Indian brought the tidings to New Netherlands. A force of twenty men was sent against the intruders, the settlement was broken up, and six of the emigrants were imprisoned, and only released upon their promise to quit the island.

Encroachments on Long Island.[2]

Elsewhere English emigrants had fared better. Lyon Gardiner had established himself on an island, to which he gave his name, off the northwest end of Long Island. His territorial claim was based on a purchase from the Indians, and was confirmed by Farrett. In 1640 a party of emigrants from Newhaven established themselves at Southold, nearly opposite Saybrook, and in a year later the very men whose settlement at Schauts Bay had been broken up were suffered to establish themselves at Southampton, on the eastern coast of the island.

Another and a more venturesome attempt failed. In 1641 an agent was sent from Newhaven to form a settlement on the banks of the Delaware. The inevitable result of this would be to leave the Dutch hemmed in on each side by their rivals. Accordingly, when a vessel sailed from Newhaven for that end, Kieft, the successor of Van Twiller, remonstrated. The captain gave a promise that he would not intrude on Dutch territory, and that if he failed to find any unappropriated land, he would either give up the attempt or place himself under the government of New Netherlands.

Attempts to settle on the Delaware.

1 Brodhead as above, and p. 296.

2 I have followed Mr. Brodhead in his account of these proceedings.

3 See *Colonial Papers*, 1639, June 12 and August 30.

The promise was disregarded in the spirit if not in the letter, and in the next year two settlements were formed on the Delaware by the authority and under the jurisdiction of Newhaven.[1] The attempt was but short-lived. In 1642, when the settlements had been in existence for a year, Kieft sent a force against them.[2] The Dutch were not without help. Nine years before a Swedish West India Company had come into existence.[3] The objects for which it was created were trade and emigration. The charter was originally drawn up in 1626. It remained still unsigned when Sweden lost her King on the field of Lutzen, but the scheme revived in the next year under the patronage of Oxenstiern. By a friendly arrangement with the States General of the Netherlands a colony was planted on the Delaware, and in spite of weakness became a prosperous community. The Swedes now made common cause with the Dutch; the intruders were driven out and their settlement destroyed.[4]

The Dutch at Hartford.

There was another cause of hostility in the state of affairs at Hartford. There an English town of a hundred houses was confronted by a Dutch fort, both on the southern bank of the river.[5] Such neighborhood could not but give rise to petty disputes and endless outbreaks of ill-feeling.

The French settlements to the north.

The English were also in danger of collision with civilized neighbors on their northern frontier. After the restoration of Canada and Nova Scotia to the French in 1632, these provinces were placed under the government of De Razilly. The administration of them was entrusted to two lieutenant-governors, D'Aulney and De la Tour.[6] In addition to his official rights De la Tour had a somewhat curious proprietary claim. In 1621 the court favorite, Sir William Alexander, not yet raised to the earldom of Stirling, had obtained from James I. a grant of the province of Acadia, or, as the new

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1 The Newhaven Records (vol. i. p. 56) contain a minute of the proceedings of the Court in this matter. The Court, in August, 1641, formally gave its sanction to the attempt. Captain Turner is mentioned as taking a leading part in the attempt.

2 This was made the substance of a formal complaint to the Federal Commissioners by the representatives of Newhaven in 1650 (*Acts of Commissioners*, vol. i. p. 181).

3 All that is known of the Swedish colony is collected in Hazard's *Annals of Pennsylvania from* 1609 *to* 1682, published at Philadelphia in 1850. The chief authority upon the doings of the Swedes appears to be a work written in German, and published in 1633, under the title of *Argonautica Gustaviana*. I cannot find a copy of this either in the British Museum or the Bodleian Library,

4 There is in the Newhaven Records (vol. i. p. 106) a very full account by one of the English sailors of the treatment of his captain, Lanberton, by the Swedes; cf. Winthrop, vol. ii. p. 140, and *Plymouth Records* as above.

5 Brodhead, vol. i. p. 294.

6 Charlevoix, *Histoire de la Nouvelle France*, ed. 1744, vol. i. p. 410.

proprietor called it, Nova Scotia.[1] This grant was confirmed by Charles I. in 1625.[2] In 1630 Alexander by a private agreement made over his territorial rights to De la Tour.[3] Two years later the treaty of St. Germains brought the grant under the jurisdiction of the French crown.[4]

Both D'Aulney and De la Tour had already embroiled themselves with their English neighbors. The enterprising settlers of Plymouth had as we have seen established factories for the fur trade to the north of the Kennebec. In 1631, a French privateer, guided by one whom Bradford calls "a false Scot," touched at Penobscot, professing to refit. "Many French compliments they used and congees they made." The manager of the factory was absent, and it was left in the charge of three or four servants. The Frenchmen were received into the house. Then they began to examine and admire the guns which were hung upon the walls. The unwary English were disarmed, seized, and stripped of their goods; the French then sailed away, bidding their victims tell their master when he came that some of the Isle of Rhé gentlemen had been there.[5]

Hostilities with Plymouth.

Not long after another trading house which some of the Plymouth settlers had established at Machias was attacked by De la Tour, on the ground that it was an encroachment on French soil. Two of the occupants were killed, and all the goods carried off.[6]

The Plymouth traders, undeterred by these failures, again set up a factory at Penobscot. It was now attacked, not by a privateer, but in a more formal and authoritative fashion.[7] In 1635, D'Aulney was commissioned by Razilly to displace all English settlers north of Pemaquid. Having captured a shallop with some men from Penobscot in it, D'Aulney made his prisoners pilot him into the harbor. He then took possession of the house and goods. The buildings he declared to be forfeited, since they were placed on the territory of others. For the goods he promised to pay a reasonable price if the English would send

1 Alexander's original grant is given in Hazard (vol. i. pp. 134-145).

2 *Colonial Papers*, 1627, May 3.

3 The deed of transfer is in Hazard, vol. i. pp. 307-9.

4 Strictly speaking the cession of Canada and Nova Scotia was the subject of a special treaty (Rymer, ed. 1743, vol. viii. pt. 3, p. 228).

5 The whole of this incident is told by Bradford (p. 189); cf. Winthrop, vol. i. p. 79.

6 The exact date of this affair is uncertain. Winthrop (vol. i. p. 117) says that the news came to Boston in November, 1633. Bradford tells of it under the year 1631. But he seems to mention it as the continuation of certain events which happened in that year.

7 The capture of the factory by D'Aulney and the attempt to recover it are very fully told by Bradford (pp. 207-9) and Winthrop (vol. i. pp. 166, 168).

for it. On hearing the news the men of Plymouth fitted out an expedition to obtain redress. It consisted of the one ship which seems then to have formed the navy of the colony, and another which they hired for seven hundred pounds of beaver, worth then about two hundred pounds sterling, the payment to be conditional on success. The incompetency of her captain, Girling, led to the failure of the expedition. Bradford describes the attack with that graphic simplicity of which he was a master. Girling "had not patience to bring his ship where she might do execution, but began to shoot at distance like a madman, and did them no hurt at all." At last, pressed by the remonstrances of his allies, he "saw his own folly, and bestowed a few shot to good purpose. But now, when he was in a way to do some good, his powder was gone."

After this failure the government of Plymouth made an application for help to Massachusetts. The Court at Boston seemed at first favorable, and asked them to send representatives to treat about the matter. Accordingly they sent Prence, one of the chief colonists, and Standish, who had been in command of the unsuccessful expedition. The Massachusetts government was willing to give help, but on condition of being reimbursed for all outlay. Considering that the occasion was wholly due to a commercial venture made by Plymouth, and that the latter colony alone would benefit by the expedition, such a stipulation was not unfair. The representatives of Plymouth, however, demurred to this condition, and the business fell through. Bradford adds, with not unjust resentment, that certain merchants from Massachusetts soon after traded with the enemy, and supplied them with arms and ammunition, and that the independent settlers on the coast of Maine kept up a good understanding with their French neighbors and gave them intelligence as to the doings of the English.[1]

Materials for a confederation.

Such were the varied motives which urged the New England colonists to seek some form of federal union. There could be no doubt as to their fitness for such an experiment. The main principles which underlay the social and political life of each colony were identical. Each was formed of much the same material, each had been established from the same motives and with the same hopes, each started with the same political training and had carried on that training in the same direc-

1 Bradford, p. 210. This complaint is confirmed by Winthrop (vol. ii. p. 84).

tion. The fact that Massachusetts limited the rights of citizenship to church-members was no serious ground of difference. We may be sure that the men of Plymouth and Connecticut disregarded that precaution because it seemed either needless or inexpedient, not because they were in the abstract opposed to it. If the Puritanism of Massachusetts was narrower and more tyrannical than that of Plymouth, it was mainly because the larger population and greater activity of the younger colony had given more scope for diversity of opinion.

The real hindrance to union was the inequality which could not fail to exist between the partners. In population, in wealth, in learning, in the security of her possessions, in the friendship of those who were now rising into power in England, Massachusetts towered over the other colonies. The actual number of the population in the various colonies may be a matter of doubt. But their relative resources are made certain by the first levy under the Articles of Confederation. That levy was proportioned to the inhabitants of each colony fit to bear arms. Massachusetts contributed a hundred and fifty men, Plymouth thirty, the other two confederates twenty-five each. In other words, the military resources of Massachusetts were nearly double those of the other three colonies combined. Her superiority in other respects does not admit of such definite statistical proof, but it is written on every page of New England history.

There was so little of personal and individual influence in New England politics that there is nothing to show in whose mind the scheme for confederation first took definite shape. The sojourn of the Plymouth settlers in Holland, and the interest which all New Englanders must have felt in the affairs of that country, would no doubt have turned their thoughts to the subject. The unsatisfactory nature of the combined operations against the Pequods in all likelihood gave the first impulse. In the same passage in which Winthrop describes the final overthrow and dispersion of the enemy, he tells us that, as some of the magistrates and ministers of Connecticut were at Boston, a conference, seemingly unpremeditated, was held to discuss a scheme for confederation. Notice of this was given to the government of Plymouth, but too late for them to take any part in the deliberations.[1]

First proposal of confederation.

The next we hear is that in 1638 a scheme of union was proposed by Massachusetts and rejected by Connecticut.[2] The

1 Winthrop, vol. i. p. 237.

2 *Ib.* p. 284.

question on which they differed was whether the vote of a majority of Federal Commissioners should have binding power on the whole Confederation. This was the scheme proposed on behalf of Massachusetts. The representatives of Connecticut demurred to this. They proposed that the judgment of the Commissioners should be final only when it was unanimous, and that in any case of difference the matter should be referred back to the legislature of the various colonies. Such a scheme would have deprived the Confederation of all promptitude of action, and destroyed its efficiency for those purposes of defence for which it was mainly needed. It is remarkable that in the actual working of the federal system Massachusetts was always the one colony which held fast to the right of independent action against the united wishes of her confederates.

Scheme proposed by Massachusetts.

Of the part which Newhaven and Plymouth bore in these deliberations we hear nothing. When a hundred and fifty years later the principle of federation won its great triumph in the union of the thirteen colonies, we know every stage in the process, every dispute and difficulty as it arose, every argument by which opposition was sustained and overcome. All the New England chroniclers, save one, pass over the establishment of the first confederation with a mere formal reference. From Winthrop we learn a little more, yet even his account is but a bare and scanty summary. Nothing can better illustrate the temper of the New Englander than the minuteness with which every trivial detail of ecclesiastical history is recorded, and the contemptuous indifference with which the first great change in the constitutional life of the colonies is treated.

Deliberations as to confederation.

In the next year the substitution of Kieft for the slothful and incompetent Van Twiller[1] served to alarm the settlers of Connecticut and to make them more anxious for the scheme of confederation. Nevertheless the matter slept for three years. This was in all likelihood due to some difficulty with Plymouth, since Winthrop, in telling of the revival of the scheme in 1642, says that Plymouth was "now willing" to come in.[2]

The attitude of the settlements north of the Piscataqua and of those in the Narragansett Bay towards the proposed union is not described. Winthrop indeed tells us that the settlers in Maine "were not received nor called into the confederation because they ran a different course from us both in

Exclusion of Maine.

1 Brodhead, vol. i. p. 274.

2 Winthrop, vol. ii. p. 85.

their ministry and civil administration." He further adds in proof of their unfitness that the settlers at Agamenticus had lately made a tailor their mayor, and one Hull "an excommunicated person and very contentious" their minister.[1]

Exclusion of the Narragansett settlements.

It does not seem that the settlers in Narragansett Bay at present sought to be admitted to the confederacy. An incident three years earlier might have shown them how any such overtures would be met. In October, 1640, the magistrates of Connecticut, Newhaven, and Aquednek had addressed a joint letter to the Court of Massachusetts, proposing in very general terms some measures "for gaining the Indians by justice and kindness, and declaring dislike of such as would have them rooted out as being of the accursed race of Ham." The Court approved of the letter. But its answer was by special order directed only to the magistrates of Connecticut and Newhaven. The representatives of Aquednek were excluded as men "not to be capitulated withal either for themselves or the people of the isle where they inhabit."[2] It is consolatory to those who reverence the memory of the great New England statesman that Dudley, and not Winthrop, was the Governor when this outburst of fanatical malignity was recorded.

In spite of this rebuff, in 1644 the Narragansett settlers asked leave to join the Confederation,[3] and renewed the petition in 1648.[4] Each time they were told in answer that they should be admitted if they would voluntarily annex themselves either to Plymouth or Massachusetts. Apart from all question of religion, sufficient grounds might have been found for excluding the Rhode Islanders in the unsettled polity of their settlements, and the readiness to disintegration which the few years of their history had already made manifest.

Threatened trouble with the Narragansett Indians.

During 1642 events took place which must have reminded the settlers in the various colonies of the need for some system of united action. As we have seen, it was the object of Uncas, the chief of the Mohicans, to build up the fallen fortunes of his tribe, and if possible to win for them the reversion of that supremacy which had belonged to the Pequods. They now had rivals in the Narragansetts. Uncas, it is clear, understood that the English were, at least for the present, masters of the land, and that the ascendency must fall to the

1 Winthrop, vol. ii. p. 100.
2 *Ib.* p. 21; Massachusetts Records, vol. i. p. 305.
3 Acts of Federal Commissioners, vol. i. p. 23.
4 *Ib.* p. 110.

tribe which could secure their friendship. No man among the settlers was so well fitted to form an opinion as to the character of the rival chiefs, Uncas and Miantonomo, as Roger Williams. Five years before he had written of the Narragansett: "If I mistake not, I observe in him some sparks of true friendship, could it be deeply imprinted into him that the English never intended to despoil him of the country."[1] It is clear, too, that Williams saw in Uncas an ambitious intriguer who was determined to use the English as his tools for the destruction of his rival.[2] In the summer of 1642 vague rumors began to float about the colonies of a meditated attack. It was said that in Connecticut an Indian who had been accidentally run over by the cart of a settler had taken it as a warning from the God of the English, and had confessed the evil designs of his countrymen, and that this was confirmed by the independent testimony of two other savages.[3] The government of Connecticut seems to have been panic-stricken, and at once summoned Massachusetts to raise a hundred men, promising to join them with a like number.[4] Happily at Boston more sober counsels prevailed. The General Court met, and the application from Connecticut was laid before it. The members recollected for years past there had been like rumors of attack, and that those rumors had always been traced to the invention of rival factions among the savages. Winthrop sets forth the reasons which swayed the Court towards peace, in seeming unconsciousness of their strange incongruity.[5] The settlers, he says, were in ill case for war, and could not afford to forsake their farms and lose the Indian trade. Besides, if any lives should be lost on either side on a false report, "we might provoke God's displeasure and blemish our wisdom and integrity before the heathen." He then lays down those principles of Indian warfare which had been so neglected six years earlier in Endicott's abortive campaign. "We might destroy some part of their corn and wigwams, and force them to fly into the woods, but the men would be still remaining to do us mischief, for they will never fight us in the open." Finally, they remembered that those who would be sent "were for the most part godly," and could not be expected to

1 Letter from Williams to Winthrop, July 15, 1637, in *Mass. Hist. Coll.* (4th series, vol. vi. p. 204), and in *Narr. Club Publications* (vol. vi. p. 47).

2 I think we may safely infer this from the general tone of Williams' letters, especially those written from 1646 to 1650.

3 Winthrop, vol. ii. p. 79.

4 *Ib.* The Connecticut Records contain an entry of the fact that this letter was written, and also of the appointment of a committee to make preparations against the Indians (vol. i. pp. 73, 74).

5 Winthrop, vol. ii. p. 80.

fight well unless they could be confident in the justice of their cause. No fault assuredly could be found with any of these grounds for inaction. Yet if there were doubts whether the war would be just, it was hardly needful to consider whether the season was convenient or the result likely to be successful. The decision of the Court was that Miantonomo should be summoned to Boston to clear himself, if he could, of the charges against him. He came, and after a conference of two days, in which he asked to be confronted with his accuser, Uncas, he satisfied the English of his innocence in the past and of his good intentions for the future. The only point of difficulty in the negotiations will hardly be thought to the discredit of the Indian. He refused at first to promise neutrality if the English attacked the Nyantics, since, as he said, repeated intermarriages between the tribes had made them his own flesh and blood.

Meanwhile letters came from Connecticut clamoring for war, and announcing that if Massachusetts did not join, the sister colony would strike a blow single-handed. The Court of Massachusetts sent back a remonstrance, urging the insufficiency of the grounds given and the injustice and impolicy of war. Connecticut accepted the decision, but unwillingly and with dissatisfaction.[1]

In May, 1643, the Commissioners from each of the three colonies, Connecticut, Newhaven, and Plymouth, met at Boston. Fenwick, too, the governor of the fort at Saybrook, appeared on behalf of the Proprietors. Massachusetts was represented by the Governor, two Magistrates, and four Deputies. One would gladly know more of their deliberations than the meager record left to us by Winthrop. He tells us that the representatives "coming to consultation encountered some difficulties, but being all desirous of union and studious of peace, they readily yielded each to other in such things as tended to common utility." After two or three meetings the Articles of Confederation were agreed upon, and signed by all the Commissioners save those from Plymouth. Their commission obliged them to refer the matter back to the Court of the colony, by whom the agreement was at once ratified.

The Confederation formed.[2]

The Articles of Confederation were eleven in number. A preamble sets forth the common objects for which the colonies of New England were founded, "namely, to advance the kingdom

1 These proceedings are fully told by Winthrop (vol. ii. pp. 80–83); cf. Massachusetts Records, vol. ii. pp. 23-27.

2 The whole of these proceedings are told by Winthrop (vol. ii. pp. 99, 100).

of our Lord Jesus Christ and to enjoy the liberties of the gospel in purity with peace," and the dangers by which they were beset, "encompassed by people of several nations and strange languages." This being so, it is necessary that the colonies "should enter into a consociation for mutual help and strength." The objects of the league are then more fully stated. It is to exist "for offence and defence, for mutual advice and succor," and "for preserving and propagating the truth and liberties of the gospel." The parties to the league are henceforth to be called the United Colonies of New England. The territorial jurisdiction of each colony is to be preserved intact. No two colonies are to unite under the same jurisdiction without the leave of their confederates, and no new confederates are to be admitted but by unanimous consent. All public charges are to be paid by contributions levied on the colonies, proportioned to the number of inhabitants in each colony between sixteen and sixty. Each colony is to raise its own contribution in any manner and on any principle which seems good to it, and to make such exemptions as it may please, provided they do not affect the amount of the contribution. In case of any sudden invasion, if there should be no time for the Commissioners to meet, the colonies are to send help, Massachusetts a hundred men, each of the other colonies fifty-five. The affairs of the Confederation are to be managed by Commissioners, two from each colony. They are to elect a President from among themselves, whose powers shall be only those of a chairman. The vote of six commissioners shall be binding; if six do not agree on any disputed point it is to be referred back to the different colonial governments. The annual meetings are to be held in each of the colonies in rotation, Massachusetts having two turns in succession. The only matter specially mentioned as coming within the province of the Commissioners over and above measures of common defence was the extradition of runaway servants.

The Articles of Confederation.[1]

Two weak points in this constitution are at once apparent. It failed to provide any machinery whereby the advantages which a colony derived from the league should be proportioned to the amount which it contributed. That difficulty can indeed only be overcome where there is a somewhat elaborate federal constitution. But though it might be an un-

Character of the constitution.

[1] The Articles are given by Winthrop (vol. ii. pp. 101-6), by Bradford (pp. 257-60), and in the Acts of Commissioners (vol. i. pp. 3-13).

avoidable defect, it was none the less a defect. If Massachusetts was often arrogant and overbearing to her confederates, and unjust in the pursuit of her own advantages, we must remember that she was perpetually galled by a sense of unfairness.

It was perhaps a more serious defect that the machinery of the Confederation provided no means by which the federal government could act directly on the individual citizen. The Confederation was in fact rather a league of independent powers for certain special and limited purposes than a federal state. More than this was scarcely possible among states constituted as were those of New England. There was little in common between the Puritan colonist and the Greek of antiquity, but they were alike in the intensity of their local patriotism and in their vivid sense of a citizenship, which, if not limited to a single town, was at least bounded by rigid conditions of space. Thus in the New England Confederation as in the Achæan League the newer and wider claims never overrode the older allegiance. The New Englander remained a citizen of Massachusetts or Connecticut, as did the other of Sikyon or Megalopolis.

For, in truth, an artificial construction such as a federal league can excite feelings of loyalty only when it comes into being under circumstances of peculiar interest and excitement. The Swiss Federation is but an apparent exception. That can hardly be looked on as a political construction at all, but rather as a growth, in some measure coeval with its individual members, and therefore vying with them in its claim on national sentiment. The Confederation of the United Provinces and the American Republic were each the firstfruits of the nation's freedom and needful conditions of maintaining that freedom. The latter was peculiarly endeared to its subjects as the symbol of a national existence slowly and laboriously achieved. And thus it has enlisted in its behalf feelings whose strength and loftiness have been too often lost upon Englishmen, because those feelings have little in common with the familiar aspect of loyalty.

The Confederation of the four New England colonies called out no such sentiments. It was looked on as a convenient piece of political machinery and no more. Yet even in this there were compensating advantages. It was well that the federal constitution was framed deliberately and, so to speak, in cold blood, not under the pressure of any special excitement. It was an advantage too that it should have come into being while the individual

colonies still kept the plasticity of youth. A confederation is a frame to which organized and articulated communities have to adapt themselves. The experiment is more likely to succeed if they have not yet acquired the fixity and rigidity of mature life.

One aspect of the matter, all the more striking from the fact that it seems to have been almost unnoticed, was the absence of any reference to the home government. There is nothing to show that the framers of the Confederation ever entertained a thought as to the manner in which their policy would be regarded in England. Yet this was undoubtedly the most important political step that any of the colonies had yet taken. The feeling of local independence, the spirit which made men look on themselves as citizens of Massachusetts and not as citizens of England, ebbed and flowed. Beyond a doubt it was stronger in 1640 than it was in 1700. But it never wholly perished, and the formation of the Confederacy was perhaps the most striking manifestation of it.

The Confederation framed without reference to England.

The indifference of the English government is easily explained. Six years earlier, under the watchful eye of Laud, we may be sure that the Confederation would never have come into existence unnoticed and unresisted. But when the Federal Union was ratified, Laud was in prison and the gates of London were closed against the King. At that crisis neither of the parties in the state had leisure to watch the external politics of a distant dependency.

In the September of the same year in which the Federal Constitution was drawn up the Commissioners met at Boston.[1] Their proceedings augured ill for the purposes to which the newly-framed league would be applied. At this time Massachusetts was striving to extend its jurisdiction over the Narragansett territory, and to that end was seeking to extirpate a harmless band of fanatics who had settled there. To understand the state of affairs we must go back a few years.

First meeting of the Federal Commissioners.

It will be remembered that among those who brought about the temporary severance of Portsmouth and Newport was one Samuel Gorton. By 1640 he might almost be said to have graduated as a disturber of the peace in every colony of New England. His career began in 1638 at Plymouth.[2] There

Samuel Gorton.

[1] Acts of Commissioners, vol. i. p. 14.

[2] The only explicit account of Gorton's conduct at Plymouth is in *Hypocrisy Unmasked* (p. 67). The date of it is given by various entries in the Records, mentioning his offence and the punishment inflicted (vol. i. pp. 105, 106, 110).

he hired a house from Smith, the minister, and soon turned it into a rival conventicle. Then he took up the cause of a woman who was punished, in all likelihood with unjust severity, for levity during worship.[1] The violence with which he supported her involved him in a charge of sedition, and to escape trial he fled the colony and took refuge at Aquednek. One episode in his career there has already come before us. After the reunion of the two settlements on the island he embroiled himself with the government. In a civil case, in which one of his own servants was concerned, he used scurrilous language to the Court of Magistrates, and apparently tried for a second time to raise up a faction against Coddington. He indeed took up that attitude towards the civil power which the Massachusetts settlers falsely attributed to all the Antinomians. In his own words, he thought himself "as fit and able to govern himself and family, as any that were there upon Rhode Island." Happily for the settlement the government was at least able to flog and banish Gorton.[2]

We next hear of him, in the words of Williams, "having abused high and low at Aquednek, bewitching and madding poor Providence."[3] His presence had consequences that reached further than mere temporary disorder. It gave Massachusetts a pretext for claiming jurisdiction over the territory of Narragansett Bay. We might almost go further, and say that it forced Massachusetts to interfere in the general interests of peace and good order. The proceedings mentioned by Williams happened in the autumn of 1640. About twelve months later we find Gorton and his friends refusing to submit to a distress ordered by the magistrates. Thereupon thirteen of the settlers presented a memorial to the government of Massachusetts asking for assistance and advice. The answer was that, if the settlers wished for any such interference, they must submit to the jurisdiction of one of the older colonies.[4] It was but natural and reasonable that Massachusetts should decline the invidious, and indeed hopeless, task of exercising an undefined protectorate over an anarchical settlement.

In the autumn of 1642 four of the settlers took the step suggested by this answer, and offered to submit themselves and their

1 Winslow says (p. 67) that she was punished for "unworthy and offensive speeches and carriages." 2 Winslow gives very full details of these proceedings.

3 The letter is in *Hypocrisy Unmasked* (p. 55). It is dated 8, 1st, 1640. It is given among Williams' letters in the *Narragansett Club Publications* (vol. vi. p. 141). It is there dated 1646, probably by a misprint.

4 This application and the circumstances which led to it are told by Winthrop (vol. ii. pp. 58, 59).

lands to the jurisdiction of Massachusetts. The form in which this proposal has been handed down to us leaves it doubtful whether the act was merely intended to hold good for the four who made the transfer, or whether it was intended by them and received by Massachusetts as an acknowledgment of submission on the part of the whole colony.[1]

Proposed annexation of Patuxet by Massachusetts.

For Massachusetts to accept the offer was in the one case unwise, in the other manifestly unjust. Either the government was establishing a small alien jurisdiction within the limits of another colony, or it was using the pretext under which powerful and aggressive states have in all ages encroached on the territorial rights of their weaker neighbors, and accepting the decision of a party as the will of the whole community.

Yet it cannot be denied that the temptations were great. The anarchy of the English settlements in Narragansett Bay might at any time invite an Indian war and make united resistance impossible. These motives prevailed, and the government of Massachusetts accepted the offer. It authorized William Arnold and the other three applicants to preserve the peace within their territory, and promised to support them in their legal rights against Gorton.[2] At the same time notice of this decision was sent to Gorton and the other inhabitants of the township, with a summons requiring them to appear at Boston in person or by deputy, to make good their claim to the land which they occupied.

In answer to this demand a letter was sent to the Massachusetts government signed by Gorton and eleven others.[3] It is noteworthy that Gorton's name does not head the list, nor is there anything to show that he held a position of authority among the settlers at Patuxet.[4] Those who are familiar with the literature of the Gorton controversy will feel sure that the letter did all which could be done to discredit the cause which it advocated. In their sobriety of thought and in their manly simplicity and force of language, the works of Bradford and Winthrop stand out as noble exceptions to the literature of Puritan New England. Vagueness, prolixity, and violence were its conspicuous failings, failings from which even such men as Williams and Cotton were not free. But the letter in question, like the

Resistance by Gorton.

1 We only know of the offer by the record of its acceptance.

2 The acceptance of the application made by Arnold and his associates and the commission to them is entered in the Mass. Records (vol. ii. pp. 26, 27); cf. Winthrop, vol. ii. p. 84.

3 *Hypocrisy Unmasked*, p. 3.

4 This letter is in *Simplicities Defence* (p. 24). It fills twenty octavo pages.

writings of Gorton which have survived, sound to a modern reader as though they were a deliberate, though cumbrous, travesty of Puritan controversy. The plain legal aspect of the case might have been stated in two pages. That is left untouched, and ten times that space is employed in rambling and unintelligible vituperation. The nearest approach to an argument is in calling Arnold "a felonious hog killer," and in denouncing, without specifying, the "vicious lusts" and "diabolical practices" of him and his associates.

Fortunately in this instance Gorton and his associates confined their violence to words, and prudently withdrew from the territory which Massachusetts claimed under the recent submission. They retreated southward beyond the Patuxet to Shawomet, on the shore of what is now Greenwich Bay. Here they obtained a tract of land by purchase from Miantonomo.[1]

Settlement of Gorton at Shawomet.

The transfer was made in January, 1643. The bargain brought evil alike to purchaser and seller. The whole question was complicated by the unsettled condition of land tenure and jurisdiction among the Indians. The transfer made by Miantonomo was ratified by two lesser chiefs, Saconoco and Pomham, who had certain rights over the soil. But in the following summer these chiefs disavowed the sale, on the ground that they had been constrained by Miantonomo, and sought redress from the Court of Massachusetts. The Court thereupon summoned Miantonomo and the two complainants before them. After hearing the testimony of each side, the Court decided to defend the claims of the two chiefs, provided they would place themselves under the jurisdiction of Massachusetts. Two Commissioners were sent to the Narragansett country to negotiate with the chiefs, and to explain to them the general principles of religion and morality. Their answers were considered satisfactory, they were received by the Governor at Boston, and their submission formally received and executed by a written deed.[2]

The Indians appeal to Massachusetts.

It would be rash at this distance of time, and without an exact knowledge of the whole details of the case, to pronounce judgment upon the conduct of Massachusetts in this matter. It

1 The deed of sale, dated January 12, 1642–3, is preserved in the Rhode Island Records (vol. i. p. 130).

2 The whole of this proceeding is described by Winthrop (vol. ii. pp. 120-123): Mass Records, vol. ii. pp. 38, 40.

would not have been safe to treat the act of Gorton and his companions as one in which Massachusetts had no part, and were in no way responsible. All experience showed that hostility with the Indians for the most part began in some petty wrong done by an isolated settler. Moreover, to a civilized nation girt in by warlike and watchful enemies the mere appearance of disunion was full of danger. At a later stage of the dispute we are told the natives were persuaded that the intruders were divided into two rival tribes, the Gortonoges and the Wattaconoges.[1] On the the other hand, it may well be that Pomham and Saconoco were malcontents who sought to use the power of the English against a superior whom they feared. The whole affair illustrated the difficulties which beset all dealings between civilized men and savages. It pointed too to the necessity of some common jurisdiction more comprehensive and more efficient than that of the Confederacy.[2]

Proceedings against Gorton.

The next incident in the affair favors the supposition that the submission of the two chiefs was part of a preconcerted scheme for the extirpation of Gorton and his followers. Although they had withdrawn from the neighborhood of Patuxet, they still caused annoyance to Arnold and his associates.[3] The latter made common cause with the aggrieved chiefs, and lodged a complaint with the government of Massachusetts. The Court thereupon summoned Gorton and his company to appear at Boston and answer the charges brought against them. The summons only met with a contemptuous answer, containing what the Massachusetts chronicler calls, with characteristic arrogance, "blasphemy against the churches and magistracy."[4] The Court then decided to send three commissioners to Patuxet to hear what the accused could say for themselves. A letter was sent to Gorton announcing their intention, and setting forth the wish of the Massachusetts rulers "that their justice and moderation might appear to all men."[5] It was a somewhat singular comment on this declaration that the commissioners were accom-

1 *Simplicities Defence*, p. 88. Wattaconoges according to Williams meant coat-wearers. *Key to Indian language, Mass. Hist. Coll.* (1st series, vol. iii. p. 214).

2 The whole of the proceedings against Gorton are related from the Massachusetts side by Winthrop, and from the opposite point of view in *Simplicities Defence*. The Massachusetts Records (vol. ii. pp. 41, 46, 50-52) confirm but do not enlarge the knowledge which we derive from Winthrop.

3 Winthrop (vol. ii. p. 137) speaks "of the continual injuries offered them by Gorton and his company."

4 Winthrop, vol. ii. p. 137.

5 *Ib.*; Mass. Records, vol. ii. p. 44.

panied by forty armed men, and that one of the three was that energetic champion of orthodoxy, Edward Johnson, the author of the *Wonder-working Providence.*"[1]

The conduct of the Massachusetts government was formally approved by the Federal Commissioners. They passed a resolution to the effect that if Gorton and his followers should stubbornly refuse to give satisfaction, the Magistrates of Massachusetts might proceed against them, and that the commissioners of the other colonies should be jointly responsible for anything done, as though they had been present when it was decided. At the same time a clause was inserted to the effect that this was not in any way to prejudice the territorial rights of Plymouth.[2]

Meanwhile every hope which Gorton might have derived from the help of Miantonomo had been overthrown. The Narragansett chief had fallen, in all likelihood, a victim to his union with the heretics. We have seen that ever since the overthrow of the Pequods, Uncas had schemed for the destruction of Miantonomo, as a needful condition for his own supremacy. In all likelihood the recent proceedings at Boston encouraged the Mohican chief to strike a decisive blow. He began by an attack, not on Miantonomo himself, but on Sequasson, a chief in the neighborhood of Connecticut, of kin to the Narragansett leader. Miantonomo resented this and attacked Uncas. The Narragansetts numbered a thousand, their enemies only four hundred. The smaller body, however, prevailed, and Miantonomo fled. Aping the customs of the settlers, he had encumbered himself with a corselet, and was easily overtaken.[4] His captors were two of his own followers, who thought to make their peace with the conqueror. Their fate was no better than that of the traitors who brought David the head of Ishbosheth. The chivalry of Uncas however expended itself in this cheap display of generosity. Gorton now, with characteristic arrogance and indiscretion, wrote a letter to Uncas, threatening him with the displeasure of the English if he detained their ally.[5] The interference was in all likelihood fatal to Miantonomo. Uncas naturally enough turned to the English settlers at Connecticut, and took his captive to Hartford. Thence he was sent to Boston,

Defeat and death of Miantonomo.[3]

1 Winthrop, vol. ii. p. 137; Mass. Records, vol. ii. p. 44.

2 Acts of Commissioners, vol. i. p. 12.

3 The main authority for the defeat and death of Miantonomo is Winthrop (vol. ii. pp. 131–134). Acts of Commissioners, vol. i. pp. 10–12.

4 This is stated by Winslow *Hypocrisy Unmasked*, p. 72. 5 Winthrop, vol. ii. p. 131.

where the Federal Commissioners were assembled. They considered the case, but could come to no satisfactory decision. To set Miantonomo free was dangerous, yet there seemed no sufficient ground for putting him to death. In this strait the Commissioners called in five of the most "judicious" Elders.[1] The rulers of the church swept away any remnant of merciful feeling which lingered among their lay brethren. The English would not indeed themselves shed the blood of the prisoner. He was returned to Uncas, who was authorized, if not commanded, to put him to death.[2] The colonists were to send two representatives to witness the execution, and Uncas was to be allowed an English troop to guard him against any possible reprisals. If Uncas should refuse to undertake the execution, the prisoner was to be sent back to Boston and the case reconsidered. The Mohican accepted the task, and Miantonomo was put to death with what an Indian would have considered the doubtful advantage of immunity from torture. Human feeling is outraged by the spectacle of the captive chief thus surrendered helpless to the deliberate vengeance of his enemy. But the conduct of Massachusetts must be condemned on grounds in which mere sentiment has no place. To have suffered the law of Indian warfare to take its course would hardly have been deemed blameworthy, unless we judge by a standard seldom applied to the conduct of nations. The banished heretic, Roger Williams, holding that God had appointed every man to be his brother's keeper, would have shrunk with horror even from such tacit complicity, but in that age he would have found few of any creed to imitate him. Each of the rival chiefs staked his life, and Uncas was but exacting the forfeit due from the loser. But if the English were to meddle in the matter at all, it was their clear duty to enforce as far as might be the principles recognized by civilized men. When they accepted the appeal made by Uncas they shifted the responsibility from the Mohican chief to themselves. Nor can it be urged that the English were employing Uncas to carry out their own decree. If Miantonomo's crimes against the English deserved punishment, that should have been

1 Winthrop, vol. ii. p. 132.

2 Winthrop's words are, "Upon the return of the (Connecticut) Commissioners to Hartford they should send for Onkas and tell him our determination that Miantonomo should be delivered to him again, and he should put him to death as soon as he came within his own jurisdiction" (vol. ii. p. 132). His statement is borne out by the formal record of the proceedings of the Commissioners.

openly avowed, and the English should have stood accountable for his execution. He should have died as a criminal by the hand of an English executioner, not as the victim to the Indian law of warfare. But, in truth, the very pleas set forth by Winthrop show how impossible it was to justify Miantonomo's execution as an act of criminal justice. He had been proved, Winthrop says, to have stirred up a conspiracy among the Indians, and he had twice evaded justice, in killing a Pequod who could have given evidence as to his designs against Uncas, and in some petty wrong to one of Pomham's followers. But the real gist of the accusation lies in the count that he was "of a turbulent and proud spirit, and would never be at rest." The plea is exactly of a piece with that which was urged for the banishment of the Antinomians. The rulers of Massachusetts regarded their criminal jurisdiction, not as a means for enforcing certain fixed and defined obligations, but as a weapon with which to strike at any one whose presence might in their judgment cause danger or inconvenience to the community.

The same temper showed itself even more strongly in the dealings of Massachusetts with Gorton and his followers. The force sent against them found the heretics prepared for resistance. Their women and children had been sent away to the woods, and the men had fortified themselves in a log-house. Before the two parties could come to blows certain of the inhabitants of Providence stepped in and endeavored to mediate.[2] A parley was held, and the Gortonists offered to submit the question to arbitration. Thereupon a truce was made till the pleasure of the Court could be learnt. When the news of Miantonomo's death was received a committee was appointed to consider the matter, and was still sitting.[3] As usual some of the Elders were called into counsel, and as usual their voice was for sacrifice and not mercy. The "blasphemous and reviling writings" of the Gortonists "were not matters fit to be compounded by arbitrament, but to be purged away only by repentance and public satisfaction, or else by public punishment."[4] Nor was it consistent with the honor of Massachusetts to negotiate "with a few fugitives

Attack upon Shawomet.[1]

1 Our authorities for this affair are, as before, Winthrop (vol. ii. pp. 137-140) and Gorton (*Simplicities Defence*, pp. 57-60).

2 The letter written by these good men to the Massachusetts government is preserved in *Simplicities Defence* (p. 53). The sobriety and charity which run through it form a pleasing contrast to the attitude of Massachusetts.

3 Winthrop, vol. ii. p. 139. There is nothing to show for what object the committee was appointed.

4 *Ib.* p. 140.

living without law or government."[1] Such were the doctrines of forbearance, humanity, and meekness which the spiritual guides of Massachusetts impressed on their followers. The soldiers were in no way backward in carrying out their orders. They gave notice that the time had expired, and warned the men of Providence to cease all dealings with the heretics. They then beset the log-house for some days. The occupants refused to surrender, and the besiegers thereupon proceeded to deal with them as Mason had dealt with the Pequods, and to set fire to their fort.[2] The besieged were off their guard, since it was Sunday, and they thought therefore that no attack would be made. But the Sabbatarianism of Massachusetts could be relaxed in favor of such a specially good work as burning heretics alive. Happily for the credit of the assailants the attempt failed.

After a few days the unhappy Gortonists saw that it was impossible to hold out. A few of them escaped; the rest, to the number of nine, surrendered, and were marched into Boston, treated, according to their own account, with great brutality, a statement probable enough in itself. Part of their cattle were driven off, part handed over to Arnold and his associates at Patuxet. The reception of the returning force was a ludicrous illustration of the rancor with which the rulers of Massachusetts regarded these unhappy fanatics. If the soldiers had defeated an invading army and saved the colony from universal massacre they could hardly have been received with more enthusiasm. It is humiliating to read how Winthrop went along the ranks, blessing God for the success of the expedition, thanking each man for his services, and enrolling his name on a list, that the Court might remember their good deeds at some future day, or how the soldiers fired volleys in honor of the Governor, and were feasted at a public entertainment.[3]

Trial of Gorton and his followers.[4]

The treatment of the prisoners assorted fitly with this reception of the captors. It is not altogether easy to follow the exact details of the proceedings against them. Gorton's own account of his trial is somewhat confused, though, to do him justice, it is more coherent and temperate than

1 Winthrop, vol. ii. p. 139. Winthrop's own words are, "not honourable for us to join with them in such a course."

2 Winthrop mentions without comment and apparently with approval that the besiegers made two or three attempts to fire the house (vol. ii. p. 140).

3 Winthrop himself describes this scene (vol. ii. p. 142).

4 *Ib.* pp. 142-7; *Simplicities Defence*, pp. 62-67.

most of his writings. On the other hand, Winthrop, who is our only authority on the Massachusetts side, does not set forth the successive phases of the inquiry with his wonted clearness. In truth, the proceedings themselves were of a confused nature, wholly without judicial discrimination or method. The aim of the Massachusetts Court was twofold : to convince the Gortonists of their heresies and extort from them a recantation, and to condemn them as civil offenders. On the first point the prisoners might fairly plead, as the Antinomians might have pleaded, that they had broken no fixed law. Those whom the Puritans denounced as persecutors said clearly and plainly, "You shall not teach certain doctrines, you shall not practise certain acts of worship." The rulers of Massachusetts extracted, confessedly with difficulty and after much inquiry, a certain meaning from obscure and vague propositions, and then declared that meaning to be heretical, and therefore criminal. In this case they could not even gloss over their proceedings by the pretence that the so-called heresy was dangerous to civil order. Roger Williams was undoubtedly a political agitator. Mrs. Hutchinson and Wheelwright were at least influential teachers, though it was a mere matter of inference that their doctrines were subversive of civil order. But there was not even that meager pretext for punishing the Gortonists. All that they asked was to remain peaceably outside the community. Here there could be no pretext of purging the state from a disturbing element, and the whole proceeding only shows how shallow and hypocritical a pretence that had been in the case of the Antinomians. In truth, the New England Puritan had indulged his desire to force his own profession of faith on his fellowmen till it had become a morbid and overwhelming passion.

Looking at the question from the secular side, the conduct of the Massachusetts government deserves the same condemnation. Even if the claim to territorial jurisdiction were a valid one, there could be no justification for the manner in which it was enforced. Arnold and his companions at Patuxet had, it is true, invoked the jurisdiction of Massachusetts. But what would the men of Massachusetts have said if the English government had treated Morton and Ratcliffe as competent to surrender the political rights of the colony? Gorton and his companions had offered to submit their alleged rights to arbitration. The rulers of Massachusetts refused that arbitration; they invaded

these rights by force, and they then treated resistance as a crime.

All attempts to extort any concession, either on the doctrinal points or the question of jurisdiction, failed. Before proceeding to judgment the Court consulted the Elders. Their voice was for sentence of death. That opinion was accepted by all the Assistants save three. Happily the colony was saved from this atrocity by the comparative moderation of the elected representatives of the people. One would fain believe that this was the first symptom of a revolt against the ascendency of an unjust and merciless priesthood.

Even the tender mercies of the Deputies were cruel, and the heretics suffered punishments which, if inflicted by a bishop, would have given the victim a high place among Puritan martyrs. They were to be dispersed as prisoners each in a different township, and there kept at work in irons during the pleasure of the Court.[1] Their stubborn obstinacy, however, prevailed over their opponents. Although the order of the Court strictly forbade their holding any conference except with the Elders or Assistants, yet they contrived to propagate their heresies, more especially among the women. Accordingly, at the next Court they were banished on pain of death. Their arms were taken from them and given to Saconoco and Pomham, and a levy made on their cattle to defray the cost of the expedition against them. The fugitives sought refuge in Aquednek. Gorton's previous dealings with the settlers there had been unfriendly, but this was now forgotten. To be a fugitive from Massachusetts for conscience' sake was in itself a claim to the sympathy of the Rhode Islanders, and Gorton with his company were suffered to sojourn in peace among the island settlers.

This dispute with Gorton was not the only one in which Massachusetts had contrived to entangle itself. In 1635 Razilly had died.[2] His province was now partitioned between his two lieutenants.[3] Disputes soon arose between the limits of their

1 The sentence is given in the Mass. Records (vol. ii. p. 52).

2 I can find no authority for the exact date of Razilly's death. But it is clear from the consensus of New England writers that it preceded and caused the dispute between D'Aulney and De la Tour.

3 The partition apparently was made by the authority of the Company of New France. Chalmers (*Political Annals of the United Colonies*, pp. 186, 198) mentions it, and refers to documents at Paris in the Depôt de la Marine. Charlevoix (vol. i. p. 411) professes ignorance of the exact cause of quarrel. He suggests that "les deux gouverneurs fussent trop voisins pour demeurer lontems amis."

jurisdiction. Each claimed to be governor over the whole province of Acadia, and the French colony was thrown into a state of civil war. The whole attitude of affairs is a striking illustration of a peculiarity which distinguished French from English colonization. The English colonies often suffered from the ignorance, the folly, and the thriftlessness of those who undertook them, and from the neglect of those at home who should have befriended or controlled them. They never suffered from the personal ambition of their rulers. The satrap who would fain become an independent prince is a figure that meets us at every turn of French and Spanish colonial history.

Dispute in New France between D'Aulney and De la Tour.

Neither of the claimants had dealt with the New England settlers in such a fashion as to have established much claim on their good-will. De la Tour seems to have made his first overtures to Shurd, an influential settler at Pemaquid. In November, 1641, he sent a messenger, Rochet, described as a Rocheller and a Protestant, to Boston with a letter of recommendation from Shurd. The envoy asked for free trade with Massachusetts and for help against D'Aulney. The former part of the application was granted; the latter was refused on the ground that Rochet had no formal commission.[1]

Negotiations between De la Tour and the English.

In the following autumn De la Tour renewed his application, sending his lieutenant and thirteen men in a shallop. The French understood how to win the hearts of their Puritan neighbors. Papists though they were, they attended the church meeting, and accepted from one of the Elders a copy of the New Testament, with notes by a Huguenot divine. This friendly intercourse resulted in the dispatch of a pinnace by certain Boston merchants to trade with De la Tour. On their return they met D'Aulney, who sent to Boston a copy of an order by the government in France for De la Tour's arrest, and a notice that any vessel trading with him would be liable to seizure.[2] Next year D'Aulney took vigorous measures against his rival. De la Tour's wife was on her way from Europe in a ship from Rochelle. On her arrival at De la Tour's station at St. John's Isle she found her husband blockaded by his rival with three ships. De la Tour himself however contrived to escape in a shallop and join his wife. They then sailed to Boston to ask for help. If their visit had no other good effect, it disclosed to the government of Massachusetts

1 Winthrop, vol. ii. p. 42. 2 *Ib.* pp. 88, 91.

the undefended condition of their chief town, since De la Tour might, if so minded, have sailed in unhindered and seized the person of the Governor.[1]

Discussions in Massachusetts.[2]

De la Tour now made a formal application for help, and produced his commission as Lieutenant-General of Acadia. Winthrop, who was now Governor, called what was by his own admission an informal and incomplete meeting, consisting of such Magistrates as were at hand, and some of the Deputies. With their authority he told De la Tour that since the existence of the Confederation a single colony could not act independently in such a matter, but that they would not hinder him from hiring any ships by private agreement. This decision was not suffered to pass unchallenged. Endicott wrote to Winthrop pointing out the danger of "having anything to do with these idolatrous French." Saltonstall, Bradstreet, and Simonds, with four influential Elders, addressed a remonstrance to the Governor, contending that the justice of De la Tour's cause was far from clear, and that interference might expose the colony to the hostility of France.[3] They also argued, reasonably enough, that by permitting men to volunteer in the service of De la Tour, the government was either approving of his cause or else admitting that it was not strong enough to control its own subjects. Accordingly a second meeting was called. No respect for Winthrop can make us doubt that he was wrong and his opponents right, and that his mistake was no small one. But the error of the statesman is more than redeemed by the integrity of the historian. Not only is the whole debate set forth by Winthrop without a shade of partiality, but he frankly acknowledges that here as at other times he was "over-sudden in his resolutions." The discussion fell under two heads: firstly, the propriety of giving aid to a Papist; secondly, the expediency of so doing in this particular case. On the first issue De la Tour's opponents relied mainly on scriptural precedents. In Jewish history an alliance with idolaters was invariably treated as a crime. The other side pointed out, not unfairly, that when the Kings of Judah were denounced for having dealings with their idolatrous neighbors, there had been personal intimacy, not, as in this case, a mere contract between them. Neither the Old Testament nor the New

1 Winthrop, vol. ii. p. 107.

2 The whole of this debate is very fully given by Winthrop (vol. ii. pp. 107-115).

3 Endicott's letter is in Hutchinson's Collection of papers (p. 113). The remonstrance of Saltonstall, Bradstreet, and Simonds is in the same Collection (pp. 115-119)

wholly forbade all intercourse with idolaters. One would feel more respect for this somewhat unwonted liberality if De la Tour's promises of payment had offered a less direct temptation to the Boston shipmasters.

The scriptural argument was the least cogent of those which were urged by De la Tour's opponents. They represented that the matter did not concern Massachusetts, and that it was unfair to condemn D'Aulney unheard. This argument was met by citing D'Aulney's acts of hostility to the colonists. There was, however, nothing to show that De la Tour, if securely established, would not be just as dangerous a neighbor. That the colony might entangle itself with one of the great nations of Europe without the consent or approval of England, and that the proceeding was a violation of the federal agreement in the spirit if not in the letter, were arguments which do not seem to have occurred to either party. Doubtless the code of international morality in that day was different from what it is now. It seemed no wise strange for the citizens of a state to take part in a quarrel from which their government stood wholly aloof. But it was one thing for Englishmen to fight in the Low Countries in the cause of civil and religious freedom, and another for New England Puritans to serve as hirelings for the personal ambition of a French adventurer.

After staying in Boston for more than a month while his case was discussed, De la Tour set out with four hired ships and a pinnace. The Governor, advised by the Magistrates and Elders, sent with them a letter to D'Aulney to be delivered before any hostilities were attempted.[1] In this Winthrop set forth the nature of the help which had been given to De la Tour, adding that the bearers of the letter were instructed to effect a reconciliation if possible, and ending with the somewhat unmeaning assurance, that "if they did anything against the rules of justice and good neighborhood, they should be held accountable at their return."

The expedition against D'Aulney.

After an absence of two months the ships returned to Boston. Not a man had been lost, yet we can well believe Winthrop's statement that "the report of their actions was grievous and offensive unto us."[2] The compact with the idolaters may not have been sinful, but it had certainly been unprofitable and discreditable in its results. Hawkins, who seems to have been in command

1 The substance of this letter is given by Winthrop (vol. ii. p. 125). 2 *Ib.* p. 134.

of the English contingent, obeyed his instructions by landing and giving D'Aulney the Governor's letter. D'Aulney's answer apparently satisfied Hawkins that he had engaged himself in an unjust quarrel. He refused to attack D'Aulney, but at last, urged by De la Tour, gave his men leave to volunteer. Accordingly thirty of them joined in an attack which only succeeded in doing some trifling damage. The fleet then sailed off to De la Tour's station and completed its service by seizing and plundering a pinnace belonging to D'Aulney, laden with furs. The assistance given did nothing towards re-establishing De la Tour or permanently weakening D'Aulney.

In spite of this failure, a scheme seems to have been entertained for renewing the attempt in the same year. This time it was not to Massachusetts but Plymouth that De la Tour looked for help. A document is extant, dated August, 1644, by which Winslow, as Governor, made over the interest of the colony in the settlement at Penobscot to John Winthrop, junior, Sergeant-Major Gibbins, and Captain Hawkins, they to recover possession out of the hands of D'Aulney.[1]

Agreement between Plymouth and De la Tour.

During the same year Vines, Shurd, and a disreputable adventurer named Wannerton, also from Maine, went on business to De la Tour, and on the way were apprehended by D'Aulney. They were soon released, and went on their errand. De la Tour then persuaded Wannerton to make an attack on a settlement belonging to D'Aulney. This disreputable raid ended in discomfiture to both sides, as the settlement was destroyed and Wannerton lost his life.[2]

In July, 1644, De la Tour came to Salem again to plead his own cause with the government of Massachusetts. The question was argued on much the same grounds as before. De la Tour's idolatry had not become more malignant, but the temptation to take his part had become less. Although, according to Winthrop, most of the Magistrates were in favor of De la Tour, yet the Governor and Council issued an order commanding all citizens to observe neutrality unless attacked. They at the same time sent a letter to D'Aulney with a copy of this order, a demand for restitution for damage done at Penobscot, and an offer of restitution for any injuries which he might have

Massachusetts abandons De la Tour.

1 This document is printed by Mr. Savage in a note (vol. i. p. 180).

2 Winthrop, vol. ii. p. 177, with Mr. Savage's note.

sustained at the hands of Massachusetts citizens. It is noteworthy that both in this case and on the occasion of De la Tour's first visit, the real business of deliberation seems to have been done by an informal meeting of Magistrates and Elders, whose decision was accepted by the Governor and Assistants acting as the Council.[1]

Remonstrance of the Federal Commissioners.

In September the Federal Commissioners met at Hartford. It could not be doubted that Massachusetts by its dealings with De la Tour had encroached on the province of the federal government. But, as we have just seen, Plymouth was equally implicated in the offence. It would have been a daring measure for the three small colonies to protest against the conduct of their powerful ally. For Connecticut and Newhaven, standing alone, such a line of conduct would have been hopeless. Nevertheless the Commissioners passed a resolution to the effect that "no jurisdiction within this Confederation shall permit any voluntaries to go forth in a warlike way against any people whatsoever without order and direction of the Commissioners of the other jurisdictions." It would have been impossible under the circumstances to have expressed a more emphatic condemnation of the expedition in the previous year.[2]

Embassy from D'Aulney to Massachusetts.[3]

Next month an embassy from D'Aulney appeared unexpectedly at Salem. Their spokesman was one Marie, who was thought to be a friar, but who had attired himself as a layman, probably to avoid exciting the hostility of the Boston Puritans. His demands for redress were satisfied by an explanation that those who helped De la Tour had done so on their own responsibility, and by a general expression of regret. When he made overtures for an alliance or, failing that, for a declaration of neutrality, he was told that the government could not take such action without the approval of the Federal Commissioners. Here, no doubt, we can see the effect of the resolution recently carried. Finally a provisional treaty was made, whereby each party pledged itself to abstain from hostilities and to allow free trade between the two colonies.

Next year D'Aulney succeeded in capturing and destroying his rival's settlement. De la Tour's wife was taken prisoner and died

1 These proceedings are told in Winthrop, vol. ii. p. 179.
2 Acts of Commissioners, vol. i. p. 22.
3 Winthrop, vol. ii. pp. 196-8.

within three weeks.[1] D'Aulney, discovering that she had come from Europe in an English vessel, wrote a somewhat violent letter to Endicott, who was then Governor. An envoy was sent to explain that the transaction was purely a private one between the lady and the shipmaster. D'Aulney at first refused to be appeased. These negotiations went on for more than a year, till in May, 1646, the General Court of Massachusetts appointed three commissioners to visit D'Aulney and treat with him. This appears to have reassured D'Aulney, who up to this time had doubted whether the English were in earnest. His confidence was no doubt confirmed by the fact that they had in the meantime wholly discarded De la Tour. Instead of receiving their embassy, D'Aulney offered to send his own representatives to Massachusetts. This offer was accepted, and in November Marie with other of D'Aulney's followers appeared at Boston. They began by making a demand for restitution. The damage done to D'Aulney by the English amounted, they said, to eight thousand pounds. They seem however to have had no hope of obtaining full restitution, and only to have wished for a definite acknowledgment of wrong-doing. After some negotiation this was granted. The concluding incident was a curious one. An English privateer had captured a Spanish vessel in the West Indies. On board was a sedan chair, on its way from Mexico, a present from the Viceroy to his sister. Cromwell, the captain of the English vessel, gave the chair to the Governor, who now sent it to D'Aulney as a formal atonement and recognition of wrong.

Treaty between D'Aulney and Massachusetts.[2]

Henceforth the rival governors disappear from the field of New England history. A year earlier De la Tour had made his last ineffectual appeal for help in New England. Then we hear of him turning northward and preferring his petition to Sir David Kirke, the Governor of Newfoundland, from whom he seems to have got fair promises, but no more.[3] Four years later a strange turn of fate came to the aid of the baffled adventurer. D'Aulney died. De la Tour won, if not the love, at least the hand, of the widow, and suc-

Later history of D'Aulney and De la Tour.

1 Winthrop, vol. ii. p. 238.

2 For the negotiations see Mass. Records, vol. iii. pp. 44, 45, 74, and Winthrop, vol. ii. pp. 237, 259, 273.

3 Winthrop mentions this (vol. ii. p. 238). A fuller account is given in that very laborious and, I believe, accurate book, Mr. Kirke's *Conquest of Canada*, published in 1871. Mr. Kirke has unfortunately lessened the value of this work by never giving references.

ceeded peacefully to the portion for which he had schemed and fought to no purpose.[1]

While the Confederation was in course of making, constitutional changes of some importance were at work in Massachusetts. The general tendency of these changes was to strengthen the hands of the freemen and their representatives and to curtail the authority of the leading men.

Changes in the position of the Council in Massachusetts.[2]

The system by which the Assistants were chosen underwent more than one change. These however affected the manner of the elections rather than the substantial distribution of power. In 1637 the system of voting by proxy was for the first time allowed.[3] This was avowedly to obviate the danger which might result from a large influx of voters into Boston. It may also have been in some measure suggested by the wish that the disaffected inhabitants of Boston should not profit unduly by their proximity to the voting place. Two years later a system was introduced which was thenceforth maintained in substance, though with various changes in detail. The object of this system was to spare the freemen the trouble of a journey to Boston, and at the same time to insure that the whole body of Assistants should represent the popular choice. This was to be done by a system of double election. Candidates were in the first instance to be chosen in the various townships, and the list thus framed was then to be submitted to the whole body of freemen.

Changes in the system of electing Assistants.

In 1640 it was enacted that the preliminary elections should be held in the different towns. The lists of votes were to be brought to Boston by the Deputies, and the candidates who stood highest in the list to the number required, were to be voted upon, for or against, by the whole body of freemen. Thus, if there were eight vacancies, those eight candidates who in the various local elections had most votes would be submitted to the whole body of freemen to be accepted or rejected.[4]

In 1641 the preliminary election was altered. Instead of the freemen in each township voting individually in the preliminary election, they were to be arranged in groups of ten, and each

1 Charlevoix, vol. i. p. 412.

2 Winthrop, vol. i. p. 302; Mass. Records, vol. i. p. 264.

3 Winthrop (vol. i. p. 185) seems to say that this change was made in May, 1636. The Records (vol. i. p. 188) place it in March, 1637.

4 Mass. Records, vol. i. p. 293.

group was to choose an elector to act for it. His powers, however, did not extend to the final election.[1]

In 1642 this was again altered. The system of tens, each with an elector, was abolished. Every town was to choose one or two representatives for this special purpose. These representatives were to meet and frame a list of candidates, from which the freemen were to elect.[2]

Next year this was again changed and the system of 1640 re-established, with, however, one important change. Under that system the initial right of proposing candidates had been vested in the Deputies themselves. Now it was transferred to the freemen.[3]

In 1644 a further change of detail was introduced. It relieved the freemen from the necessity of coming to Boston for the second election by making the voting local. The votes given in the various towns were to be sealed up and sent to Boston. This was an obvious and easy change, since at the second election the freemen did not choose candidates, but only confirmed or vetoed a choice already made.[4]

During this time the system on which the Deputies were elected underwent no change. But in 1639 it was proposed that the number should be reduced, and that whereas hitherto some townships had returned three, they should henceforth be limited to two each. This was at first resented as an attempt on the part of the Assistants to curtail the power of the Deputies. The opposition, however, failed, and the limitation became law.[5] Five years later another change was proposed. In the previous year the colony had been divided into four counties.[6] The germ of such a system had before existed in the institution of the four quarterly courts and in the arrangement of the militia, since for both these purposes towns were grouped together according to local proximity. At first the new division seems to have affected only the military arrangements of the colony. Each county was to have its own local force under the command of a Lieutenant and a Sergeant-Major.[7]

Proposed change in the election of Deputies.

In 1644 it was proposed to substitute the county for the town as the basis of representation. Under this scheme Suffolk and Middlesex, the two southernmost counties, which included re-

1 Mass. Records, vol. i. p. 333. 2 *Ib.* vol. ii. p. 21. 3 *Ib.* p. 37.
4 *Ib.* vol. ii. p. 87.
5 Winthrop, vol. i. p. 300; Mass. Records, vol. i. p. 254.
6 Mass. Records, vol. ii. p. 38. 7 *Ib.* p. 42.

spectively the townships of Charlestown and Boston, were to have six members each, while the two northern counties were to return eight members between them. The votes were to be taken in the different townships. This representation was to be afterwards limited in a somewhat complicated fashion. The twenty elected representatives were to present themselves at the General Court. The Assistants, as we have already seen, were a body that varied in number. The representatives were then to be reduced by cutting off those who had fewest votes till the number was only equal to that of the Assistants. In consideration of this the Assistants would forego their veto. The scheme was submitted to the freemen in their various townships, but was received with no favor and was abandoned.[1]

Relations between the Assistants and Deputies.

Under this system the freemen may be said to have enjoyed a double representation. The Assistants were elected as the representatives of the whole body, the Deputies as the representatives of the several townships. Both were the chosen upholders of popular rights. But the former might be supposed to maintain the rights of the whole community, the latter more especially the local interests of each district.

Up to 1643 the two bodies sat and voted together. Their mutual relation and the precise limits of their respective power were questions not yet decided. We have seen how, in 1635, that question arose, and how the dispute was bridged over by a concession which disposed of the practical question at issue, but left the constitutional difficulty still unsolved. In 1643 the dispute broke out afresh. This time it was raised, not by any political issue, but by a question which came before the legislature in its capacity as the supreme civil court. A lawsuit fell out between a poor widow named Sherman, and a certain rich man, Captain Keayne, about a sow.[2] There seems to have been very little doubt that the widow's claim was ill-founded. She was, howevever, egged on by one George Story, a trader, who lived in her house, and who bore a private grudge against Keayne. Not only did Sherman lose her case, but Keayne brought an action against her and Story, and received twenty pounds damages. Unluckily for Keayne, he bore an ill name in the country for hard dealing with

1 Winthrop, vol. ii. p. 214; Mass. Records, vol. ii. p. 88.

2 The whole history of this politico-porcine case may be learnt from Winthrop (vol. ii. pp 69-72 and 115-18), and from the Records.

the poor. Public sympathy is sure to be more influenced by the social position and moral character of litigants than by the legal rights of a case. The feeling spread through the colony that a poor widow had been fined twenty pounds because she tried to get back her own from a rich extortioner.

Urged on by Story, and no doubt supported by popular sympathy, Sherman appealed to the Supreme Court. Their opinion was divided. Of the Assistants, two were for Sherman and seven for Keayne; of the Deputies, fifteen for Sherman and eight for Keayne, the remaining seven Deputies standing aloof. In taking this attitude they acknowledged that they were carrying out the instructions of those who returned them. Nothing could show more clearly how ill-fitted an elective assembly is to act as a judicial tribunal. It shows too how that vicious habit of mind which the rulers of Massachusetts had encouraged for their own ends had eaten its way into the minds of the people. The public looked at this case just as Winthrop and the other leaders looked at the case of the Antinomians or of Gorton. The tribunals existed, not to apply certain fixed principles, but to carry out those measures which should at the time seem expedient and in conformity with popular opinion. By the unhappy system which vested the legislative and the judicial powers in the same body, this trumpery case had now grown into a grave political difficulty. If the Assistants and Deputies were regarded as forming one single body and all voting together, then Sherman would gain her cause by two votes. If the Assistants sat as a separate tribunal, then they had a right to veto, and Sherman would lose her case.

Happily the bitterness of the issue was tempered by the fact that both Assistants and Deputies were alike the elected representatives of the people. The Assistants too maintained throughout an attitude of forbearance and moderation. Next year, when the heat of popular feeling had subsided, a compromise was arrived at, distinctly to the advantage of the Assistants. It was resolved that henceforth the two bodies should sit and vote as separate chambers, and that the consent of both should be needful for any legislative act.[1] Apparently the same principle applied to judicial proceedings. It speaks well for the good feeling of both parties that a judicial system so cumbrous and liable to disorder should seemingly henceforth have worked well.

[1] Winthrop, vol. ii. p. 160; Mass. Records, vol. ii. p. 58.

One incident of the contest deserves notice. Winthrop wrote a statement of the case, vindicating the judgment of the Assistants.[1] This apparently gave offence from the harshness of its tone. The Governor, hearing this, volunteered in open court an explanation, and in some sort an apology, marked by a characteristic combination of dignity and humility. As to the substance of what he had written he stood firm. But in the language which he had used about his opponents "he did arrogate too much to himself, and ascribe too little to others." One expression, he admits, was "not becoming him, but a fruit of the pride of his own spirit." In conclusion, he expressed the hope that he might be "more wise and watchful hereafter."[2]

Winthrop's statement of opinion.

A pamphlet written by Winthrop on the question of the veto is yet extant,[3] and deserves to be studied. The argument of it falls under three heads. Firstly, Winthrop points out that the constitution was originally so framed as to give the Assistants a veto. Secondly, he argues that to do away with that veto would destroy the only barrier which saved the commonwealth from becoming a democracy. Of that form of government Winthrop speaks with denunciation which could hardly have been surpassed by Clarendon or Hobbes. "Democracy is among most civil nations accounted the meanest and worst of all forms of government . . . and histories record that it hath always been of least continuance and fullest of troubles." We may learn from this how little there was in common between the Puritan founders of New England and those who have entered into their inheritance. It carries with it too the cheering lesson that the fears of thoughtful and far-seeing statesmen may sometimes prove as unfounded as the Utopian dreams of reformers. Thirdly, Winthrop points out the unfitness of a body chosen, as were the Deputies, by popular election, for discharging judicial duties. This last argument was the only one of the three to which much weight can be attached. Yet even this either proved too little or too much. If the Court was unfit to sit as a judicial tribunal, the mere retention of the veto by the Assistants was a very inadequate corrective. Each of the other arguments admits of an easy

Winthrop's pamphlet on the veto.

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1 This is given in the *Life* (vol. ii. p. 284). It is a short summary of the evidence. The taste for scriptural analogy shows itself oddly. As Jacob was first convinced of his son's death by circumstantial evidence, and then of his safety by direct evidence, so should Mrs. Sherman have reasoned concerning her lost sow.

2 Winthrop himself reproduces this speech in his History (vol. ii. p. 117).

3 It is given in an Appendix to the *Life* (vol. ii. p. 427).

answer. Those who opposed the retention of the veto would not have denied that the original constitution included it. They might well have refused to be bound by any appeal to a system which had been framed fifteen years before by men who could not have, and did not profess to have, practical knowledge of colonial life. The one place where it is most needful that institutions should be elastic and not bound down by precedent is in the ever expanding life of a colony.

It is strange too that a man of Winthrop's sagacity should not have recognized that the community already was a democracy. The whole machinery of the state—Governor, Assistants, and Deputies—was chosen by the people. No constitutional arrangements could prevent such a government from being a democracy as far as the freemen were concerned, whatever it might be from the point of view of those excluded by the test of church-membership. At the same time it well might be, and in all likelihood was, expedient that the Assistants should retain their veto. That contrivance could not make the government other than a democracy, but it might diminish the danger of such a polity by introducing a means of delay between the formation of popular wishes and the execution of them, and by giving the more educated and thoughtful portion of the democracy time to make its influence felt.

But the actual substance of such an appeal is less important than the fact of its having been made. Winthrop might denounce the democracy, but his appeal to them, based as it was on constitutional grounds and enforced by sober argument, was an unconscious admission of the right of the commons to political power. His treatise was one of a class of documents which we more than once meet with in the early history of New England. It does not seem to have been customary among the statesmen of Massachusetts to rely for their influence on popular oratory. The arts of the demagogue were apparently left to the clergy. But it was not uncommon for the leading men to issue pamphlets, which in all likelihood were distributed in manuscript. Such were the appeals made by Vane and Winthrop respectively during the Antinomian contest. The character of these, so far as they have come down to us, is full of instruction. There is no rhetoric in them, no appeals to the hopes or fears of the readers, nor to any unworthy passions. There is no attempt to write down to the intelligence of the mob; the argument is often dry and tech-

nical, never shallow or sophistical. Such writing is the best testimony to the political wisdom and integrity of those to whom it is addressed. The men for whom Winthrop wrote were the true progenitors of those sober, precedent-loving citizens who were appealed to by the authors of *The Federalist*.

In the next year a new force made itself felt in the politics of the colony. A proposal was put forward in the Court to extend at least some portion of the rights of freemen to those who were at present excluded as not being church-members.[1] The matter was passed by for the present, but from this time forth the disfranchised inhabitants are a factor to be taken into account in the politics of the colony.

Claims of those who were not church-members.

Another source of internal dissension had come into being. It is clear that the pre-eminence of Boston and the continuance of Winthrop in the highest office caused discontent. The influence which the Boston merchants had been allowed to exercise in the dealings with De la Tour gave ample ground for this feeling. Ipswich, the chief town in the county of Essex, seems to have been the stronghold of the aggrieved party. In the wealth and social position of its inhabitants Ipswich was little behind Boston,[3] and its minister, Nathaniel Ward, was one of the most vigorous and aggressive of those political divines who play so large a part in early New England history. One of the first symptoms of this dissatisfaction was the substitution of Endicott for Winthrop as Governor. At the same time Bradstreet and Hathorne, two of the leading men in Essex county, were elected as the two Federal Commissioners. Bradstreet was among the three who had headed the opposition to Winthrop in the matter of De la Tour. Hathorne had already made for himself a position as a popular leader. In 1641 Richard Bellingham had been elected Governor in the place of Dudley. Bellingham was a lawyer, a man of integrity and ability, but morose and self-willed. During his tenure of office he incurred the displeasure both of the Assistants and the Deputies. His chief offence was arbitrarily changing the amount of a fine after judgment had been given and recorded. For so doing a formal admonition was addressed to him by the Deputies, with the approval of the Assistants.[4] On this occasion Hathorne seems to

Opposition in Essex.[2]

1 This is very briefly told by Winthrop (vol. ii. p. 160).

2 I have relied entirely on Winthrop for my account of this year's proceedings, with such verification from the records as was possible.

3 For the state of Ipswich see Johnson (bk. i. ch. 34).

4 Winthrop, vol. ii. p. 51.

have acted as spokesman.[1] Soon after he headed a movement in favor of a much needed reform, whereby the penalties for certain moral offences, such as swearing and lying, should be fixed instead of being left to the discretion of the Court. But the need for definiteness in criminal jurisprudence was little understood by the rulers of Massachusetts, and the proposal bore no fruit.[2] Winthrop censures the election of Bradstreet and Hathorne on the ground of their youth, and also in that, being inhabitants of Essex, they were furthest removed from the other colonies, and therefore ill-fitted to deal with them.[3] For once however we must feel that Winthrop wrote as a partisan. Bradstreet and Hathorne evidently represented the general body of the freemen against the oligarchy at Boston, who had hitherto in a great measure monopolized office and power. The public services of each had shown that the office of Federal Commissioner was not beyond their deserts, and the only fault which could be found with their conduct while in office was that Bradstreet served the interests of Massachusetts too faithfully. Before the Court came together an informal meeting of Deputies was held in Essex. They there drew up a series of measures to be brought forward.[4] The exact details of these are not told us by Winthrop, but their general effect, according to him, was to increase the influence of Essex. Among other measures to this end the Court was to be brought there, and four representatives of the county were to be specially added to the list of Magistrates. The ability and influence of the Essex representatives enabled them to carry the Deputies with them. The Assistants, however, resisted, and after a conference between the two chambers the proposal fell through.

The two bodies soon joined battle on another issue. The Deputies passed a measure providing for the establishment of an executive council to act while the Court was not sitting. This was to consist of seven Assistants, three Deputies, and Ward, lately the pastor of Ipswich.[5] Inasmuch as the Assistants had hitherto discharged these duties, the practical effect of the measure was to substitute four nominees of the lower chamber for four of the Assistants. Moreover, even

Disputes between Assistants and Deputies.

1 I infer this from Winthrop (vol. ii. p. 52). He there says that the Deputies "sent up their speaker." A little later he says that Hathorne was "usually one of their speakers." As the Assistants and Deputies all sat in one chamber, the functions of the speaker to the latter body cannot have exactly corresponded to those of a Speaker in the English House of Commons.

2 Winthrop, vol. ii. p. 56.

3 *Ib.* p. 172.

4 *Ib.* p. 167.

5 *Ib.*

where the measure left the power of the Assistants intact, it altered the source from which that power was derived. Henceforth their executive authority would rest, not, as it now did, on the charter, but on the annual vote of the whole Court. On these grounds the Assistants resisted the change, pleading too, with good reason, that the Court would by this measure be encroaching on the rights of the freemen, by making the choice of an executive a matter of nomination and not of general election. The Deputies met this last argument by citing the cases where the Court had specially appointed a council of war. To this the Assistants answered that a council of war was appointed for a limited time and with special powers, whereas the present measure would permanently alter the position of the executive.

The Deputies then proposed a compromise. The Court was to appoint a council of war, in which all the Assistants were to sit. The latter still stood firm, on the ground that they had already legal authority. An unprofitable discussion followed, which ended, according to Winthrop, in the declaration made by the Deputies through their speaker Hathorne, "You will not be obeyed."[1]

In the meantime it had been necessary to send out a small force to protect Pomham against the Narragansetts.[2] The commanding officer was required, under his commission, to receive his instructions from the Council of the commonwealth. The question then arose, Who were this Council? The discussion led to a clear statement of the points at issue. These were to be settled later. For the present a resolution was passed, to the effect that the Governor and Assistants should act as a Council, without prejudice to their claim of authority under the charter.[3]

The feeling of hostility between the two bodies was quickened by disputes about the external policy of the colony. The Governor of Plymouth petitioned for some powder, of which his colony was in great need. The Assistants voted him two barrels, but the vote was quashed by the Deputies.[4] Their illiberality indeed went so far as to refuse to let their confederates have any even on payment. A like application from Rhode Island was also refused, though, as Winthrop points out, the colony thereby ran the risk of letting the Narragansett country fall into the hands of the Dutch.[5]

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1 Winthrop, vol. ii. p. 169.
2 Mass. Records, vol. ii. p. 72.
3 Winthrop, vol. ii. p. 170.
4 *Ib.* p. 172.
5 *Ib.* p. 173.

On another point the liberality of the Assistants contrasted with the narrow-minded jealousy of the local representatives. The former proposed that they should be authorized in case of an appeal for help from any of the confederate colonies at once to raise the force required under the Articles of Confederation. The Deputies, however, insisted that no help should be sent till a General Court had been called together.[1] No confederation could possibly work effectively if the members held with such jealous tenacity to their individual freedom of action. On a question of internal policy too the Assistants were seemingly more liberal than their opponents. Winthrop expressly tells us that in this dispute the Assistants commanded the sympathy of the disfranchised inhabitants who were not church-members. At the same time, so far from having any intention of remedying the grievance, the Assistants were kept in check by the fear that, if political strife arose, this question might become a cause of conflict.[2]

Later in the year the Court again met. It was agreed that there should be a conference between the two branches of the legislature, in which the Elders should act as arbitrators. The Deputies appear to have begun by an act of discourtesy to the arbitrators in sending a committee of four to meet them instead of appearing all in person. The main question was whether the Assistants under the patent, and without further authority, constituted the standing Council. On this point the judgment of the Elders was in favor of their claims. Besides this, certain minor points of dispute were laid before the Elders and decided by them. They ruled that the freemen might appoint commissioners for special purposes, and that the same power might be exercised by the Court within somewhat narrower limits. At the same time they ruled that the authority granted to such commissioners must not absorb nor override that of the regular magistrates. They also gave a decided opinion in favor of allowing the penalties for offences to be varied at the discretion of the magistrate. Finally they expounded the general division of powers under the constitution. All legislative power and the supreme judicial power were vested in the General Court, consisting of the Governor, the Assistants, and the Deputies. Subject to that limitation the Governor and Assistants had judicial power as

Conference of the two chambers.[3]

1 Winthrop, vol. ii. p. 173. 2 *Ib.* p. 171.

3 The proceedings of this conference are fully told by Winthrop (vol. ii. p. 204–9). The answers of the Elders are given in full in the Records (vol. ii. pp. 90-6).

magistrates. That power was not conferred by the vote of the freemen but by the patent. At the same time the freemen were to decide by their vote in whom that power was to be vested.

The propositions laid down by the Elders were formally voted upon and accepted. A few of the popular party demurred, notably Saltonstall and Bellingham, who though themselves among the Assistants had throughout sided with the Deputies.[1] This dissatisfaction however was not general, and for the present the dispute was set at rest.

Winthrop's Pamphlet on Government.

One incident of this struggle deserves special notice. Winthrop put forward a second pamphlet, dealing with the immediate question, but at the same time going beyond it, and setting forth his views on general questions of policy.[2] His main object is to show that the power of the Assistants could not properly be called arbitrary. It was easy to show that a government, every member of which was chosen by the whole community, could not be called arbitrary. In such a case the only questions that can arise are not questions of principle but of detail. The people must decide in what manner and with what restrictions they should delegate their power to their chosen representatives. Winthrop's pamphlet is little more than an analysis of the constitution, showing in detail how each successive process in the work of administration is provided for by the charter, and is consistent with the rights of the people to self-government. He then deals with the question of so-called arbitrary punishments. He argues with copious illustration that greater equality of punishment is secured when the amount of penalty varies at the discretion of the judge. For, as he points out, that which is nominally the same offence becomes different as it is committed by a different person or under different circumstances.[3] There is one point in this letter which has an interest beyond that of the immediate controversy. In describing the constitution of the colony Winthrop emphatically states that the original members of the Company were specially careful that no condition should be inserted in the original patent, limiting the government of the colony to any corporation living in

1 Winthrop, vol. ii. p. 209.

2 This also is given in an Appendix to the *Life* (vol. ii. p. 440).

3 One is reminded of the doctrine, set forth both by Plato and Aristotle, that true equality was not in equal distribution, but in distribution proportionate to merit (*Laws*, 757; *Politics*, vol. *i*).

England.[1] We may regard this as an answer to the charge that the transfer was an act of bad faith, an answer too all the more effective because it arose incidentally out of a different controversy.

Next year the contention between the two branches of the legislature broke out afresh. A sermon was always preached on the day of the general election. The right to name a preacher was by usage vested in the Assistants. But the Deputies had lately challenged this, and had so far prevailed that they had been twice allowed the choice. On this occasion each body made a separate appointment, in ignorance seemingly of what the other had done. Finally the Assistants gave way, though not unanimously.[2]

Dispute about the Election sermon.

This was followed by another dispute, also arising out of a personal issue. It will be remembered that the train-band of each township elected its own officers. The captaincy of the Hingham company was vacant; the lieutenant, Emes by name, was chosen to succeed; but before his appointment was complete, his fellow-townsmen took offence at him and preferred one Allen. The Assistants took up the question, and when Allen was presented to the Court, it refused to confirm his appointment till the matter had been reconsidered. The band met for drill, without waiting for any summons or for the formal confirmation of their choice. A scene followed, described by Winthrop, gravely indeed, but with an underlying sense of its absurdity. After the men had met, the lieutenant appeared and proposed to take the command. The men refused to accept him. He then pleaded the order of the Assistants. This was met with the statement that the Assistants had advised him to go home and lay down his commission honorably. A tumult followed. Some declared that the order of the Assistants was only made by a small minority, others that the Assistants had no power in the matter, while one man even declared himself ready to support his right of election by the sword. Then the clerk of the band put it to the vote whether they should refuse Emes and take Allen. The latter opinion prevailed, and thereupon Allen's

Election of a train-band captain at Hingham.[3]

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1 Winthrop's words are: "For it being the manner for such as procured patents for Virginia, Bermudas, and the West Indies to keep the chief government in the hands of the Company residing in England (and so this was intended, and with much difficulty we got it abscinded)."

2 Winthrop, vol. ii. p. 219.

3 *Ib.* pp. 221-8. The proceedings of the Court on the matter are very fully told in the Records (vol. iii. p. 18–27).

followers, to the number of two-thirds, followed him for three days' training, while the rest stayed with Emes.

Ecclesiastical authority soon stepped in. Emes had given the lie to those who said that the Assistants had ordered him to lay down his authority. For this he was brought before the church. Hobart, the pastor of Hingham, was the brother of three of Allen's principal supporters. He now excommunicated Emes. The latter thereupon appealed for protection to four of the Boston Magistrates, including Winthrop, now Deputy-Governor. They issued a warrant summoning the three Hobarts and two others to appear at Boston. The pastor then presented himself, and remonstrated so disrespectfully that but for his office he would have shared the fate of his brethren. The five offenders were summoned to Boston, and required to give bail. This they refused to do, and were thereupon committed for trial.

The Deputies now took up the matter. A petition was presented to them, signed by nearly a hundred of the inhabitants of Hingham, asking them to interfere. This they did by demanding an inquiry into Winthrop's conduct, on the ground that the case was one of public importance.[1] The inquiry was granted. Indeed it would almost seem as if Winthrop thought by formally putting himself on his trial to impress the public with a feeling that the conduct of the Deputies was factious and ungrateful. The matter, as might have been foreseen, resolved itself into a struggle between the Deputies and the Assistants, which seems to have been marked by a lack of decorum and forbearance on both sides. After much discussion the Assistants proposed to refer the matter to the arbitration of the Elders. The Deputies refused, believing that the sympathies of the Elders would be with the Assistants. At length a conference of the two bodies was held. The views of the Assistants prevailed; fines of various amounts were inflicted on the offenders, and Winthrop was fully acquitted.[2]

Inquiry into Winthrop's conduct.

The concluding scene had an interest beyond the immediate matter in debate. Winthrop used the opportunity to make what he, with his accustomed modesty, calls "a little speech,"[3] which was in truth an exposition of the general principles of government and of civil liberty. The speech

Winthrop's speech.

1 Mass. Records, vol. ii. p. 97.

2 The judgment of the Court is in the Records (vol. ii. pp. 113, 114).

3 Winthrop himself gives a verbatim report of the speech (vol. ii. p. 228).

is characteristic both of the place and the age. Like Winthrop's political pamphlets, it made no appeal to popular passion. Beyond a short reference to Winthrop's own attitude and the stigma inflicted on him by the trial, and to the position of the Assistants, the whole speech is impersonal, a statement of abstract principles. It is an exposition of the true nature of freedom. There are, Winthrop told his hearers, two kinds of liberty, natural and civil. Natural liberty is the mere absence of all external control, the freedom of a wild animal. Civil liberty is the subjection to reasonable moral control, the subjection of a wife to a husband, of the Church to her Divine Lord.

The aggrieved Deputies might fairly have answered that what they disputed was not the general principle but the practical application of it. Civil liberty, Winthrop says, is "liberty to that only which is good, just, and honest." But who is to interpret those terms? Winthrop's formula is only a statement of the difficulties of government, not a solution of them.

Yet that very statement marks an advance in political thought. A political philosophy deduced from the maxims of experienced diplomatists was being superseded by one which strove to recognize the general principles of civil society. The teaching of Machiavelli and Bacon was giving way to the teaching of Hooker and Hobbes and Locke.

There is another point worth notice in this speech, common also to all Winthrop's political writings. In his analysis of the various members of the constitution, all reference to the home government is omitted. Almost unconsciously the citizen of Massachusetts had learnt to regard himself as belonging to an independent commonwealth.

CHAPTER IX.

NEW ENGLAND UNDER THE COMMONWEALTH.[1]

In New England the overthrow of royalty was not marked, as it was in the two southern colonies of Virginia and Maryland, by any disturbance of affairs or change of authority. Yet its effect was at least fully as important. It freed the colonists from all dread of an interference which might be fatal to their political and ecclesiastical aims. It brought New England for the first time into direct contact with the literary and intellectual life of the mother country. In the struggle between Presbyterian and Independent the New England divines were compelled, as they had never been before, to take part in a controversy in which victory was not already assured to them by the approval of an unreasoning majority.

Effect of the overthrow of the monarchy on New England.

The benefit of the altered state of affairs in England was first felt by the distracted group of townships on Narragansett Bay. Every year showed the settlers there the need for some legal title strong enough to protect their territory from the aggressive policy of Massachusetts. They might now hope with reason that any such application would have the support of Vane and of those who thought with him. The first movement in this direction seems to have been made by the inhabitants of Newport. As early as 1639 it was resolved at the general meeting of the township that two of the chief citizens, Easton and Clarke, should petition Vane to use his influence

The Narragansett colonies get a charter.

1 For most of this chapter there are no new authorities. During the course of it we lose the invaluable guidance of Winthrop. Some amends are made by the fullness of the Federal Records. For the affair of the Presbyterian malcontents we have on the one side *New England's Jonas cast up in London*, by Major John Childe, brother to Dr. Childe, and on the other, *New England's Salamander*, by Edward Winslow. Both were written in 1647. The former is published in Force's collection, vol. iv., the latter in the *Massachusetts Historical Collection*, 3rd series, vol. ii. Backus has preserved much that is of great value for the latter part of the chapter, and Clarke is an authority of the first order for those incidents in which he himself was concerned.

with the King in obtaining a charter for the colony.[1] By what steps the colonies of Portsmouth and Providence were induced to join in this application, or how negotiations were carried out, does not appear. But by the spring of 1643 the three townships had resolved to send a joint representative who should endeavor to obtain a formal confirmation of their right to the territory which they occupied.[2] There could be but little doubt as to the choice of an ambassador. The antecedents of Williams, his charm of manner and character, his power of speech and, if need should be, of controversy, all marked him out as fitted for the task. Early in 1643 he was dispatched to England. Parliament in the following November placed the administration of the colonies in the hands of a Board of Commissioners, with the Earl of Warwick at their head.[3] The action which they took with reference to the Narragansett territory showed how urgent was the need for Williams' mission. In December, 1643, the Commissioners granted to the Governor, Assistants, and freemen of Massachusetts the whole territory on the mainland of Narragansett Bay.[4] This instrument would not indeed, unless by a very partial interpretation, have interfered with any soil then occupied by Newport and Portsmouth. But it would have swallowed up Providence, it would have effectually isolated the two townships on the island, and it would have undoubtedly furnished Massachusetts with a standing ground for further encroachments.

In the following March however the Commissioners issued a second instrument, which conflicted singularly with this grant. It incorporated the three townships of Providence, Portsmouth, and Newport, under the title of Providence Plantation.[5] The inhabitants were empowered to form a government and to make laws, with the customary reservation that these should conform to the laws of England, and with a further provision in favor of any future arrangement which the Commissioners might make for the general administration of the plantations. It was clear that this instrument was in spirit incompatible with the recent grant to Massachusetts, and that for all practical purposes the later instru-

1 R. I. Records, vol. i. p. 94.

2 Our knowledge of Roger Williams' mission to England is curiously indirect. In 1643 he published his *Key into the Language of America* in London. In the preface he refers to his voyage. Winthrop just mentions the fact of his voyage to England (vol. ii. p. 97). It is clear from the result of his mission that he was acting for the settlers on the island as well as those at Providence.

3 Hazard, vol. i. p. 533.

4 *Colonial Papers*, 1643, Dec. 10.

5 *Ib.* 1644, March 14.

ment overrode the earlier. Yet since the first grant only gave territory and the second only gave jurisdiction, it could not be said that the one formally and legally abrogated the other. That the two should have been allowed to stand illustrates the singular heedlessness with which the English government granted away the soil of the New World.

Return of Roger Williams.

In the autumn of 1644 Roger Williams returned with the charter of his colony. With it he brought a letter addressed by twelve leading members of the Parliamentary party to the Governor and Assistants of Massachusetts "and the rest of our worthy friends in the plantation of Massachusetts Bay."[1] The authors of the letter reminded those to whom they wrote of all that Williams had suffered when in England in the cause of religion, and of his labors among the savages; they protested against the want of good feeling between men who had so much in common, and who "mutually gave good testimony of each other;" and they urged the necessity for union at a time when the common interests of Puritans in England and in America were in danger. Winthrop gives the letter without a word of comment. Hubbard adds that those to whom it was addressed "saw no reason to condemn themselves for any former proceedings against Mr. Williams," and that they resolved that as long as he and his followers held to "their dangerous principles of separation," they would not grant them free passage, "lest any of their people should be drawn away with his erroneous opinions."[2] By a strange chance all that we know of Williams' reception in his own colony is derived from an unfriendly quarter. In a letter from one who when he wrote was Williams' enemy, we may read how his fellow-citizens put forth with a little flotilla of fourteen canoes, and gave a triumphal welcome to him who had now a second time earned the title of their founder.[3]

Dispute about the territory of Shawomet.

Events now showed how much mischief might arise from the two conflicting grants made by the commissioners. We have seen how Gorton and his followers, turned adrift by the weariness and despair rather than released by the clemency of the Massachusetts government, had gone back

1 Winthrop gives the letter (vol. ii. p. 193).

2 Hubbard, p. 349.

3 This is told in a letter from one Richard Scott, a Quaker, in the Appendix to Fox's pamphlet against Williams, *New England Firebrand Quenched*. Scott took part in the reception, and naturally, under the changed circumstances, wrote of it as an act of folly which he repented.

to Shawomet. No sooner had they returned than, repeating the same policy which had ended so fatally for Miantonomo, they entered into negotiations with the natives. The Narragansetts, at the instigation of the Gortonists, made a formal submission and declaration of allegiance to the King of England.[1] The government of Massachusetts at once took the same measures for asserting its territorial claim as it had done in the case of New Hampshire, and endeavored to plant a colony on the territory of Shawomet, under the title of an alleged purchase or cession from the Indian chief Pomham.[2] Help came to Gorton from an unlooked-for quarter. Brown, one of the Federal Commissioners for Plymouth, had a trading station in the neighborhood of Shawomet. He now resisted the intrusion of the settlers from Massachusetts, on the ground that the territory in question was within the Plymouth patent. His claim was afterwards overruled by the Federal Commissioners, but it served the purpose of checking the intended encroachment. Though Brown's action was of benefit to Gorton and his party, it is clear that it was intended only to guard the territory of his own colony, since at the very same time he was warning the people of Portsmouth and Newport that their charter was invalid, as being an encroachment on the rights of Plymouth.[3]

Gorton obtains the support of the English government.

Meanwhile Gorton had gone to England with two of his chief supporters to transmit the submission of the Narragansett Indians, and to obtain from the Commissioners for plantations the same confirmation in their territory as had already been granted to their neighbors.[4] In the latter attempt they were fully successful. In the Autumn of 1646, Holden, Gorton's right-hand man, landed at Boston with an order from the Commissioners addressed to the governor of Massachusetts. The Commissioners in this document declined to express an opinion as to the previous conduct of the Massachusetts government towards Gorton, but ordered that for the present he and his

1 This is published in *Simplicities Defence* (p. 91).

2 Mass. Records, vol. iii. p. 49; Winthrop, vol. ii. p. 252.

3 *Simplicities Defence*, p. 98.

4 There is nothing to show the exact date of Gorton's visit to England. It is approximately fixed by two facts. Winslow states (*Hypocrisy Unmasked*, p. 83) that Gorton was in Rhode Island in November, 1644. Winslow's commission, dated December, 1646, sets forth that Gorton, Greene, and Holden had presented a petition to the Earl of Warwick. As we must deduct some time for the news to reach America and for the government of Massachusetts to take action upon it, this practically narrows the date of Gorton's visit to 1645 or the first half of 1646.

followers should be allowed to settle at Shawomet without interruption. This was not to preclude the Massachusetts government from reopening the case if it should be able to make good its title to the land. The Commissioners also appended an order to the effect that Gorton, Holden, and Greene should be allowed to pass through the territory of Massachusetts unmolested, any previous sentence of expulsion or otherwise notwithstanding.[1] The reception of this order at Boston will be more fitly considered in dealing with the whole question of the relations between the Massachusetts government and the Parliamentary authorities. For the present Gorton and his adherents settled peaceably on the lands at Shawomet, or, as it was now called in honor of him who had befriended them, Warwick.[2]

Union of the Narragansett townships.

That conspicuous incapacity for civil union which had already shown itself in the Narragansett settlers still kept the various townships asunder. For nearly three years the charter of incorporation was a dead letter, save so far as it protected them from any external attack. In May, 1647, the colony took its first step towards unity. To this end a meeting was held at Portsmouth. The constitution of that meeting is but imperfectly recorded. Ten delegates were sent from Providence.[3] There is nothing to show how the other three townships were represented. The functions of this convention were to define the constitution of the colony, to pass a code of laws, and to declare what henceforth should be the system of legislation, judicature, and administration.[4]

Constitution of the colony.

The fundamental principles of the constitution were declared in the preliminary articles to the code of laws. It was to be democratical, "that is held by the free and voluntary consent of all or the greater part of the free inhabitants." The code drawn up was simple, based mainly on English statute law and containing scarcely a single reference to scriptural precedent. In two important points the code embodied the views which had made the founder of the colony and so many of its members exiles from Massachusetts. It declared that an oath should not be necessary in courts of law, but that a

1 This order is cited by Winthrop (vol. ii. p. 280). He also gives at p. 274 a similar order, addressed apparently not only to Massachusetts but to all the colonial jurisdictions.

2 The first use of the name which I can find is in the record of the proceedings at Portsmouth in May, 1647 (R. I. Records, vol. i. p. 148).

3 R. I. Records, vol. i. p. 42.

4 The whole proceedings of this are very fully recorded (R. I. Records, vol. i. pp. 147-207).

declaration should be sufficient, and it formally secured religious freedom by an enactment that "all men may walk as their conscience persuades them." To have been among the earliest upholders of religious freedom, a claim so often and so unscrupulously made on behalf of the founders of Massachusetts, a claim which they themselves would have repudiated with scorn and horror, is an honor which may with justice be given to the despised outcasts of Narragansett Bay.

The government took that form into which the constitution of our colonies seemed spontaneously to fall. There was to be a President, a body of Assistants, and a General Assembly of all the freemen. Coggeshall, of whom we hear little else, was elected the first President. The Assistants were to be chosen in a fashion somewhat unintelligibly described in the records. Each town was to present two men, and "he which the vote by paper pitcheth upon was to be elected."[1] For the present there was to be nothing which could really be called a representative system, though Commissioners, six from each town, were to be chosen for certain limited purposes. This body was entitled the General Court. The supreme judicial power was to be vested in the President and Assistants. The right of Portsmouth and Newport to hold local courts was confirmed, and there can be little doubt that the same right was enjoyed by Providence and Warwick.

Laws enacted.

The enactments of the Assembly throw light on more than one point in the social and economical condition of the colony. As is usual in the struggling life of a young settlement, public office was deemed a burden rather than a prize. The officials received a stipend, and those who refused to serve were mulcted in the amount which would have been paid to them. The same need for enforcing public duties is shown by the provision, that at the General Assembly of freemen forty should be required to form a quorum. That there were inequalities of wealth, and that the little community had begun faintly to feel the evils of older states, was shown by the enactment of a law for the relief of the poor. This is further illustrated by a peculiar provision in the law against burglary. If the criminal had been driven to the act by hunger it was only to be dealt with as larceny. The value which the settlers attached to their maritime commerce is shown by the institution of a special code applicable

1 This means, I presume, that candidates were to be first nominated; then voted upon. But it does not show who were to elect.

to seamen, based on that French custom known as the laws of Oleron. The provisions for military training were very full. There were to be eight trainings a year, at each of which all males between sixteen and sixty were to attend properly armed and equipped. Even in the case of herdsmen and others whose business made it difficult to attend, exemption could only be obtained by a payment of two-and-sixpence a day. The legislature even went further, and met the chance of a lack of powder by ordering that every male under seventy should have a bow and arrows, that all children should be taught archery, and that for that end there should be butts set up in each town. Sale of arms or ammunition to the Indians was prohibited under a fine of five pounds, to be doubled at the second offence.

No formal precedency was at present given to any of the four towns. For some years the Court met successively at each of them for legislative and judicial purposes, and this arrangement was formally confirmed by enactment in 1655.[1] The difficulty of bringing together the freemen for the work of legislation was overcome by a device to which it would be hard to find any parallel in political history. Every new statute had to be proposed in the Assembly, and then transmitted to each of the four towns. Every freeman might then within ten days send in his vote, and if a majority in any one town was opposed to the measure it was lost.[2] This was in all likelihood designed as a compromise to avert separation. As such it was imperfectly successful. It was re-enacted three years later,[3] and it remained in force till 1664, when the whole constitution of the colony was remodeled.[4]

Peculiar system of legislation.

Such a system was only fitted for a special stage of political development. It could not work save in a community too large, but only just too large, for a primary Assembly. With such conditions it was well fitted to keep alive a spirit of local independence, and to give every freeman a direct voice in the affairs of the community.

The transfer of supreme power from the King to the Parliament had brought nothing but good to Rhode Island. To Massachusetts it was far from an unmixed gain. Warwick and his colleagues undoubtedly sympathized with the government of Massachusetts in its main objects and approved of the general outlines of its policy. But

Faint traces of a Royalist party in New England.

1 R. I. Records, vol. i. p. 305.
2 *Ib.* p. 145.
3 *Ib.* p. 229.
4 *Ib.* vol. ii. p. 27

they showed at the very outset that, like Laud, they had the will and, unlike him, the power and opportunity to make their authority over the colonies a reality. On the other hand, fifteen years of virtual independence had taught the colonists to look with impatience on control, even when exercised in a moderate and not unfriendly spirit.

This was, no doubt, in a large measure due to the very unanimity which existed in the colony. If there had been anything like a Royalist party in Massachusetts, or any serious danger to be feared from the neighboring colonies, then we may be sure that those in authority at Boston would have been more anxious to stand well with the new powers in England. There were indeed rumors of Royalist agents who were endeavoring to gather a party in Maine.[1] In Newhaven too there are faint traces of a party for the King, but it may be questioned whether they were not actuated simply by discontent with their own government.[2] Though the Court of Massachusetts made it an offence to form a party for the King, this was in all likelihood but a measure of superfluous caution. At Boston seemingly all were united. Winthrop indeed tells how one Jennison, the captain of the train-band in the small town of Hull, had some doubts as to the lawfulness of the proceedings of Parliament, but these appear to have been easily allayed.[3] Morton too was misguided enough to come over to Boston in 1643, and was put on his trial for having abused the government of Massachusetts in his *New English Canaan*, and in a letter to one Jeffries. Pamphlet and letter were both scurrilous enough to justify the indignation of those attacked. In the letter, written in 1634, he dwelt complacently on the impending overthrow of the Massachusetts government, and the probable cropping of "King Winthrop's" ears. But a letter written nine years before might well have been left in obscurity, and Winthrop and his colleagues might have safely looked with contemptuous indifference on the cumbrous sarcasm and pedantic scurrility of the *New English Canaan*. Morton's age and infirmity obtained him some mercy. After a year's imprisonment he was set free, under a fine which

1 This is stated in a letter from Endicott to Winthrop, June, 1644 (*Mass. Hist. Coll.*, 4th series, vol. vi. p. 148).

2 The Newhaven Records (vol. ii. p. 59) speak of a "malignant party" at Southold They thought that the overthrow of the royal authority would make it impossible for them to appeal against the colonial government, and resented the loss.

3 Winthrop, vol. ii. p. 176.

was never paid, and ended his abject career soon afterwards at Agamenticus.[1]

Dispute about Stagg.

In the summer of 1644 a question arose as to the jurisdiction of the Parliament over Massachusetts.[2] The seizure of the fleet by Parliament, so graphically told by Clarendon, had forced the King to make up a navy by commissioning merchantmen. These seem to have been mainly taken from the seaports of the West of England. Warwick had authorized one Stagg, the captain of a vessel carrying twenty-four guns, to make prize of such vessels from Bristol or any other port in the West as he might find in arms against the Parliament. Off Charlestown Stagg met a Bristol ship. Her present voyage seems to have been a harmless one, since she was carrying a cargo of fish to Bilboa. But one at least of her joint owners, a Bristol merchant, was, Winthrop tells us, "a very bold Malignant." He and some of his partners were on shore. Stagg disarmed suspicion by landing his own cargo without any mention of his commission, and then anchored abreast the Bristol ship, between her and the land, cutting her off from her owners. A crowd assembled on Windmill Hill, overlooking the harbor, to see the fight. The Bristol captain, however, disappointed them by surrendering, and the crew were sent as prisoners to Boston. Their friends on shore fared no better. They endeavored to raise a tumult, but were likewise seized and imprisoned. Stagg was now required to produce his commission, which he did. The question, like all public matters in New England, soon found its way into the pulpit. Some of the Elders made it the subject of their Sunday sermons, and declared that a Parliamentary commission could not override the jurisdiction created by the patent. We have seen how in the case of De la Tour commercial considerations outweighed what would naturally have been the religious and political sympathies of the colonists, and it is not unlikely that in this case the same influence was at work. The Court of Assistants took the view of the Elders into consideration, but decided to accept Stagg's commission as valid, leaving the injured shipowners the remedy of a civil action. The grounds for this decision are set forth very fully by Winthrop. They may be said to have fallen under two heads: reasons of policy and reasons of

1 The proceedings against Morton are set forth in full and the text of his letter given by Winthrop (vol. ii. pp. 151, 189-92).

2 The whole of the dispute with Stagg is told by Winthrop (vol. ii. pp. 180-3, 186); Mass Records, vol. ii. pp. 113, 121.

constitutional right. The King and his party were already unfriendly. If the colonists now offended the Parliament they would be left wholly without support. If, too, it became known that the very men who had formally supported and advocated the cause of Parliament by public prayer and fasting were now resisting its authority, great encouragement would be given to the Malignants in Virginia and the West Indies.

The constitutional aspect of the case, as stated by Winthrop, contained two pregnant admissions. Since the King had not absolute sovereignty independent of Parliament, he could not by his patent transfer such sovereignty to others. Moreover, under the patent the colonists held their land in the manor of East Greenwich. They were therefore represented by the members for the borough or county in which that manor was included, and so were subject to the jurisdiction of Parliament. This they could only escape by denying the validity of their patent, and basing their title to their land on purchase from the Indians, or occupation. But to renounce their patent under the existing conditions in England would be inexpedient.

Winthrop adds a reservation which shows that he and those who thought with him understood the limits within which constitutional precedent is of value. If it should ever be necessary to renounce the authority of Parliament in the interests of the colony, then the supreme law, the safety of the commonwealth, would justify such action.

Although the Massachusetts government accepted the authority of Parliament, it drew up a petition which was virtually a protest against any like exercise of power in the future. The document, addressed to the two Houses of Parliament, pointed out the wrong which had been done both to the Bristol merchants and to those who would have bought their goods, and prayed that henceforth no such measures should be allowed against any vessel belonging to a New England merchant or visiting a New England harbor.[1]

Soon after another vessel acting for the Parliament arrived at Boston.[2] Her captain, Richardson, had not, like Stagg, a sealed commission from the Parliament, but only a written authority from Warwick as High Admiral. There was at this time in the harbor a ship from Dartmouth. Certain Boston merchants laid

1 The petition is in the Massachusetts Records (vol. iii. p. 31).

2 This case also is fully told by Winthrop (vol. ii. pp. 194-6). There are two references to it in the Records (vol. ii. pp. 79-82).

claim to her on the ground that a vessel of theirs had been seized by Royalists off the Welsh coast, and that they were entitled to reprisals.[1] The Court summoned the master, who consented that they should take possession of his ship till the case should be tried. Meanwhile Richardson had made his preparations for seizing the ship, and the two parties boarded her simultaneously. The Governor then summoned Richardson to come ashore. He disobeyed, fearing, as he afterwards declared, that his men would fight or pillage in his absence. The battery in the harbor then summarily opened fire on Richardson, and an armed force was sent to occupy the Dartmouth ship. Richardson then came on shore and excused himself. The Court ordered him to pay a barrel of powder as compensation, and forbade him to meddle with any vessel in the harbor, since it was not within the jurisdiction of the Admiralty. The matter between the Boston merchants and the master of the Dartmouth vessel was left to the judgment of the Court.

Further dispute about Richardson.

These two disputes had turned on details of administration, and had only indirectly introduced general principles. An attack was now to be made on the system which confined the rights of citizenship to church-members. As we have seen, the dread of exciting a conflict on that point had helped to tie the hands of the Assistants in their conflict with the Deputies. A multitude of causes were at work, all tending to make men dissatisfied with the relations between the civil body and the churches. The overthrow of ecclesiastical authority in England had left a mass of sects struggling for supremacy. In their battle against Presbyterianism the Independents were almost inevitably forced into alliance with every anarchical and discredited body. Not only that, but even that section of the Independent party in England who in doctrine and church-government were at one with the American Puritans took a wider view of the attitude which the state should assume towards diversity of cults and creeds.

Dispute about the religious qualification for citizenship.

There was, too, within the New England churches some dissatisfaction with the existing system, and a vague but growing wish to relax the conditions upon which church-membership might be granted. Thus while those who were excluded from the churches were beginning to clamor against the indirect conse-

1 There is nothing in Winthrop's account to show why the Dartmouth ship was specially selected for reprisals.

quences, a movement was going on which would practically tend to mitigate the hardship of disqualification. It is likely that there had been some agitation on the point beyond what is recorded, since in 1646 a measure of relief was in process of passing the legislature which would have given those who were not church-members full and equal rights in town affairs, and which would also apparently have made some change in the qualification required from a freeman.[1] Meanwhile a demand was made for a more thoroughgoing reform. Among those who had come out with Winthrop among the original settlers was one William Vassall. He was plainly a man of abundant and restless energy, somewhat at variance with his fellow-citizens, on points, not of doctrine, but of church-government. Like many others he turned back in the first year of the settlement.[2] Five years later he returned to New England, and settled beyond the border of Massachusetts at Scituate, in the jurisdiction of Plymouth.[3] He now headed a movement against the existing order of things in Massachusetts. With him were associated Maverick, who had from the first stood aloof from the Nonconformity by which he was surrounded, and one Childe, a doctor of medicine, a learned man and a traveler, who seems to have been led to New England rather by curiosity than by any sympathy with the objects and principles of the colonists.[4]

In 1646 these men and others who thought with them drew up a petition to the General Court. They set forth the grievance of exclusion from civil rights, and also from the spiritual privileges enjoyed by the members of the various Independent churches. They petitioned that their civil disabilities might be removed, and that they and all members of the Church of England and Scotland might be admitted to communion with the New England churches.[5] If this could not be granted they prayed to be released from all civil burdens. Should the Court refuse to entertain their complaint, they would be obliged to bring their case before Parliament.[6] No one but

Petition of the unenfranchised inhabitants.

1 Winthrop's language is disappointingly indefinite. He says (vol. ii. p. 262), "A law was drawn up and ready to pass for allowing non-freemen equal power with the freemen in all town affairs, and to some freemen of such estate, etc., their votes in election of magistrates."

2 Dudley's letter in Young's *Chronicles of Massachusetts* (p. 316).

3 Winthrop (vol. ii. p. 261) says, "Mr. William Vassall, some time one of the Assistants of the Massachusetts, but now of Scituate, in Plymouth.

4 *N. E. Salamander*, p. 7. This account of Childe is confirmed by the declaration of the Court hereafter mentioned (Hutchinson Collection, p. 211).

5 This, I presume, meant the Presbyterian Church.

6 This petition is in the Hutchinson Collection (p. 188).

an unswerving advocate of New England Puritanism could deny that the excluded inhabitants had a real grievance. But there is something almost grotesque in the demand that the government should guarantee spiritual communion with the existing congregations, whether the members of those congregations wished it or no. The later conduct of the petitioners showed too that there they had something more in view than the removal of an unjust restriction, and we may be sure that those further designs were understood by the government of Massachusetts. Johnson has aptly described the situation with an unwonted approach to epigram. Some, he says, were for a plebsbytery, some for a presbytery.[1] The petitioners, like most religious reformers, sought, not freedom, but the substitution of one restriction for another. The circumstances of the time made such a movement specially dangerous. In England the battle between Presbyterian and Independent was at its height, and the issue hung in the balance. The Congregational clergy of New England were bearing a prominent part in the struggle. Whatever may have been the merits of the dispute as regards England, there could be little doubt in the case of Massachusetts. Theoretically, all religious disabilities are equally to be condemned. Practically, the hardship imposed on those whom the existing system disfranchised was as nothing compared with the hardship of imposing Presbyterianism on the colony. The one might cause occasional disaffection, the other would have been a signal for civil war.

The measures taken by the government are the best proof of the position and influence of the petitioners. Gorton, it will be remembered, had carried his grievance to England, and those in power had shown themselves not unfriendly to his claims. With attacks impending from two quarters, it seemed needful that the colonial government should have some special representative in England. Their choice fell on Edward Winslow. Vassall's agitation extended to Plymouth as well as Massachusetts, and thus Winslow had a direct interest in opposing the petitioners. His sufferings at the hands of Laud and his position as one of the earliest leaders of Puritan colonization would insure him a favorable hearing. A proposal was made to associate Winthrop with him. Unwilling though the Governor was to undertake an embassy of which he could ill afford the cost, and which his advanced age made irk-

Winslow sent to England as agent for Plymouth and Massachusetts.

[1] Johnson, b. iii. ch. 3.

some, yet he expressed himself ready to obey the will of his countrymen. But the need of his presence at such an emergency and the dread that he might be absorbed by public life in England prevailed.[1] Winslow's written commission merely empowered him to answer the things already alleged against the Massachusetts government by Gorton, or any other charges that might arise. Over and above this he was intrusted with discretionary powers to meet certain questions and complaints which might be put forward by the Commissioners themselves. The main points in these were the same which had been already embodied in the resolutions of the Assistants and the Elders. Winslow was to maintain that the charter gave a free donation of absolute government, which would be violated either by appeals to England, by any claim to jurisdiction made by the Admiralty, or by the appointment of a General Governor. The exclusion of those who were not freemen was also defended on the ground that the privileges of that order were expressly conferred by the charter, and might therefore be given or withheld at the pleasure of the grantees.[2]

At the same time the Court took the somewhat perilous step of exactly defining the constitutional relations between the colony and the English government. To this end the Assistants and the Elders, each body separately, made a formal statement of their views.[3] These declarations are of great interest. Among the Assistants there was a division of opinion. Some held that Parliament had the right to overrule the Court. At the same time they wished to petition for more extended powers. Winthrop, in all likelihood, was among those who thought differently, if we may judge by the minuteness with which he sets forth their views. They held, in his words, that "by our charter we have absolute power of government; for thereby we have power to make laws, to erect all sorts of magistracy, to correct, punish, pardon, govern, and rule the people absolutely." They admitted, at the same time, a certain claim which Parliament had to allegiance, but they made no attempt to define that claim or specify its nature and extent. This view was confirmed by the opinion of the Elders. They added, furthermore that the colonial government could not be called to account by Parliament, except on

1 Winthrop, vol. ii. p. 283.

2 Winslow's commission is in the Records (vol. iii. p. 93) and in Winthrop (vol. ii. pp. 299-301). Winthrop appends the private instructions given to Winslow.

3 These are very fully given in Winthrop (vol. ii. pp. 279-83).

the ground that any of its proceedings were inconsistent with the formal provisions of the charter.

The Court, having thus defined its constitutional position, proceeded to deal with the petition. That the petitioners really aimed at the introduction of Presbyterianism can hardly be doubted in the face of their later conduct. We may be sure too that their opponents understood that from the outset. But no such purpose was expressed or even implied in their petition. Accordingly the Court was precluded from even noticing what in all likelihood was the uppermost motive with many of its members. A series of charges, twelve in number, was drawn up against the petitioners.[1] Substantially the charges came to this: they had defamed the government of the colony, and thereby discredited it both with its own subjects and in England. One head of the accusation merits special notice. The petitioners sought so to interpret the charter that it entitled any Englishmen settled in Massachusetts to the privileges which it granted, instead of conferring those privileges on a certain limited body, with the right of self-extension.

Trial and punishment of the petitioners.

Each of these charges was met in detail by the petitioners, and the answers, together with the rejoinders of the Court, are fully given by Winthrop.[2] Most of these were little more than verbal fencing, and left the main points still in dispute. The really important questions were the exclusion of those who were not church-members from civil rights and the right of appeal to the government at home. In the latter were involved the whole relations between the colonies and the mother country. According to the petitioners, the Company was but a corporation like a merchants' company in England. The Court contended that there was a difference between one corporation and another, and that the position of the colony necessarily emancipated it from obedience to the laws of England generally, and left it only amenable to such laws as specially applied to foreign plantations. This doctrine was stated twice, each time in emphatic words: "Our allegiance binds us not to the laws of England any longer than while we live in England, for the laws of the Parliament of England reach no further, nor do the King's writs under the great seal go any further." "There is a difference between subjection to the laws in general, as all in England are, and

1 Winthrop, vol. ii. p. 286; Mass. Records, vol. iii. pp. 90, 91.

2 Winthrop, vol. ii. pp. 287–90.

subjection to some laws of state proper to foreign plantations." It does not appear whether it is the formal judgment of the Court or the comment of Winthrop which finds a voice in these prophetic words: "Among the Romans, Grecians, and other nations, colonies have been esteemed other than towns, yea, than many cities, for they have been the foundation of great commonwealths. And it was a fruit of much pride and folly in those petitioners to despise the day of small things."

One other point is worth noticing, as illustrating a sophism which ran through much of the reasoning of New England politicians. The petitioners complained that the laws of the colony were repugnant to the laws of England. To this the Court answer that this cannot be; "for no law of the realm can be contrary to the law of God and right reason," since, "if anything hath been otherwise established, it was an error, and not a law, being against the interest of the law-makers, however it may bear the form of a law." The conclusion that a law of the colony may be contrary to the law of God and right reason serves as a *reductio ad absurdum*. Here we have exactly the same fallacy that underlies Winthrop's argument as to political liberty. No one would object to the exercise of authority, given an infallible ruler.

The policy of the petitioners may have been fraught with real danger to the colony, but assuredly there was no justification for the severity of the punishment imposed on them. Childe was fined fifty pounds and Smith forty, on the ground that their offence was aggravated by their position as new-comers. The rest were fined thirty pounds, excepting Maverick. He had not as yet lodged an appeal to the English government, and his fine was therefore limited to ten pounds.[1]

Childe now resolved to carry his case himself to England. On the eve of his intended departure the Court ordered that his papers should be searched. This was done, and two petitions were found, together with a list of queries, all addressed to the Commissioners for Plantations. The queries dealt with the validity of the patent and the possibility of its being forfeited. One of the petitions was signed by some twenty-five of those who were excluded from the rights of freemen, mostly, Winthrop tells us, young men of no estate lately arrived in the colony.[2] The other petition was a far more

Further proceedings against the petitioners.

1 Winthrop, vol. ii. p. 291; Mass. Records, vol. iii. p. 94.
2 Winthrop, vol. ii. p. 294.

important document. It was signed by the same seven who had presented the original petition to the Court. The petitioners asked, among other matters, for settled churches according to the reformation of England, for the banishment of arbitrary power, and that a General Governor or Commissioner should be appointed to settle affairs. To grant this would have been to establish Presbyterianism, and to place the civil and ecclesiastical rights of the colonists entirely at the mercy of the Commissioners. Legally, a discovery made after the sentence of the Court cannot excuse that sentence. But we may be sure that the views expressed in the petition were known to many, and had a large share in bringing about the verdict. For this second offence Childe and his associates were put on trial. Childe and Dand were fined two hundred pounds, Maverick a hundred and fifty, and two other offenders a hundred each.[1]

Vassall goes to England.

Though the government of Massachusetts was able to withhold Childe and his associates from stirring up an agitation in the colony itself, they could not be kept from making their grievance known in England. Vassall, as we have seen, lived at Scituate, within the boundary of Plymouth. He sailed to England, carrying with him copies of the two petitions.[2] One incident of his voyage is too characteristic to be omitted.[3] Cotton was delivering a course of scriptural lectures to his congregation in Boston. His text for the day was, "Take ye the little foxes." According to his interpretation, the large and dangerous wild beasts had already been overcome. What the colony had now to dread was the fox-like craft of malcontents. He further went on to say that the petition was being sent to England; that a voyage made for such an evil end might be hindered by the hand of God; and that, if storms arose, the enemies of the colony should take it as a call to repentance and cast their petition overboard. We must cast aside all modern notions as to the limitations to be placed on the functions of the pulpit, and regard Cotton as a politician speaking on what he fairly believed to be a question of vital importance to the colony. His sermon, so looked at, may either have been a rhetorical but perfectly legitimate appeal to the consciences of his hearers, or a warning that the presence of the petition would in a direct and mechanical

1 Mass. Records, vol. iii. p. 113. We hear nothing further of Dand's share in the matter.
2 Winthrop, vol. ii. p. 321.
3 The whole of this is told by Winslow in *New England's Salamander*.

fashion bring with it the vengeance of God. It was at least certain that many of Cotton's hearers would take the latter view. The storm did arise, and a woman on board demanded that the petition should be thrown over. Fowle, an associate of Vassall, who was in charge of some of the papers, humored the woman by giving her a copy of the first petition. This was solemnly cut up and cast into the sea. The remedy apparently was incomplete, since the storm was not wholly allayed, but the ship was at least able to reach England. In the pamphlet warfare which followed it was disputed with no little vigor what the document really was which acted as a sedative to the tempest, and how far it could be fairly held to have operated. In the matter of the petitioners Winslow's embassy was successful. The dangers which he was sent to meet were in a great measure averted by the triumph of the Independent cause. The unenfranchised settlers failed to get any sort of encouragement or relief, and the government of Massachusetts received an assurance that the Commissioners "intended not to encourage any appeals from your justice nor to restrain the bands of your jurisdiction to a narrower compass than is held forth by your letters patent, but to leave you with all that freedom and latitude that may in any respect be duly claimed by you."[1]

In the matter of Gorton Winslow was less successful. The Commissioners declined for the present to pass any judgment on the question of territorial claims. But they gave a recommendation, which was virtually an order, that even if the land at Shawomet was within the jurisdiction of any of the other colonies, yet that, inasmuch as Gorton and his company had been at the cost of settling there, they should not be disturbed so long as they demeaned themselves peaceably, and did not endanger the colonies by their dealings with the Indians. Armed with this order and with letters of like import to the governments of Plymouth and Connecticut, Gorton landed at Boston. Some of the Assistants there were so hardened in their injustice and so reckless of consequences as to propose his arrest. This act of iniquity and folly was averted, though only by a majority of one.[2]

Disputes with the Narragansett settlements.

By this time the settlers at Shawomet had entered into political union with the other Narragansett settlements. Two representa-

[1] The answer of the Committee is given by Winthrop (vol. ii. p. 319).
[2] Winthrop, vol. ii. p. 322.

tives were sent to Boston by the General Court at Providence on behalf of Warwick. The exact object of the embassy does not appear. It is clear that they were not sent to make any surrender, nor is it easy to see how there could have been any need for making a claim or assertion of right. The Court had risen before their arrival, and there is nothing to show that any message was delivered.[1] But the protection of the authorities in England sufficed, and henceforth Warwick had nothing to fear from its rapacious and unscrupulous neighbor. In another matter Winslow met with deserved failure. He vainly endeavored to get the charter which had been lately granted to the Narragansett plantations revoked.[2] The attempt was in all likelihood made in the joint interests of Massachusetts and Plymouth, but there can be little doubt which of the two colonies would have profited by its success.

Dispute about Springfield.

Meanwhile Massachusetts had become involved in a dispute with the other confederated colonies. The schemes of Lord Say and Sele and Lord Brook for planting had borne no fruit beyond the establishment of the fort which kept their joint names. In 1644 Fenwick, the governor of Saybrook Fort, made it over to Connecticut. For this he received sixteen hundred pounds, together with the proceeds of an export duty to be imposed on corn, biscuit, beaver, and cattle for the space of ten years. Fenwick was also for ten years to have the use of the habitations attached to the fort. He in turn pledged himself to make over to Connecticut the lands included in the patent granted to Lord Say and Sele and his partners, if those ever came into his power. It is somewhat singular that this contract makes no reference to the Proprietors. That can only be explained by supposing that Fenwick's commission gave him full power to make such a transfer.[3]

Over and above the cost of the purchase two hundred pounds was needed to complete the fortifications. This was raised by a rate throughout the colony. The export duty on goods was levied by way of a toll, to be paid either at Hartford, Windsor, or Weathersfield. This was not limited to the subjects of the gov-

1 The embassy is mentioned by Winthrop (vol. ii. p. 323). He gives a letter which one of them wrote to him. The letter merely states the fact that the writer and his companion had been sent. The entry in the Rhode Island Records (vol. i. p. 209) only confirms this.

2 Winthrop, vol. ii. p. 321.

3 The agreement between Fenwick and the government of Connecticut is given by Trumbull (vol. i. p. 149); Connecticut Records, vol. i. pp. 119-23.

ernment which imposed it. It fell also on the inhabitants of Springfield, so far as they might use the river for navigation.[1] They refused to acknowledge the authority of Connecticut in the matter, and would not pay the impost. The government of Connecticut thereupon brought the matter before the board of Federal Commissioners. At the same time the Massachusetts government took up the matter on behalf of Springfield, and drew up a protest.[2] This set forth that the rate was really levied to enable Connecticut to purchase the fort, and that the inhabitants of another colony could not be asked to bear that charge, and, furthermore, that the fort was of no advantage to the inhabitants of Springfield. Moreover the Connecticut government had not attempted to enforce the duty on the Dutch settlers at Hartford, regarding them as subjects of another jurisdiction. The two representatives of Massachusetts contended that their colony was entitled to the same exemption. The Federal Commissioners heard the case, and decided that the grounds assigned for the impost were sufficient. At the same time they declared themselves willing to hear any further arguments that might be brought forward on behalf of Springfield.

One of the arguments used on behalf of Massachusetts may be easily met. The position of the Dutch settlers at Hartford was altogether exceptional. Any rights that the government of Connecticut had over them might fairly be waived in the interests of peace and public safety, without prejudice to the exercise of those rights in other cases. The general question of the impost was undoubtedly one in which the two opposite parties might legitimately take differing views. On the one hand the security of the river was a direct benefit to Springfield. Against that it might fairly be urged that it was also a gain to Plymouth, and still more to Newhaven, and that it was hard that the traders of Springfield should either be wholly cut off from the use of the river or else should have to pay a tax which they had no share in originating or apportioning. The difficulty could never have arisen if the federal compact had been a more effective one. A more complete constitution would have provided for the matter, both as a question of common defence and also by some definite system of intercolonial duties. It may be said that the absence of any special clause in the Articles of Federation reduced the question to one

[1] Trumbull, vol. i. p. 149; Connecticut Records, vol. i. pp. 119-23.
[2] Acts of Commissioners, vol. i. pp. 90–3; Mass. Records, vol. ii. pp. 182-3.

of international right. Even if Massachusetts and Connecticut had been wholly independent of one another, and the question had therefore come under the code which governs international disputes, it may be doubted whether Massachusetts could justly have opposed the impost. Nor can it be denied that the federal compact, even if it created no legal bond, at least set up a moral obligation. The case was one which from its very nature could not become a precedent. The laxity of the federal tie was in itself a reason why any of the colonies should scrupulously forbear to act in a way which could imperil the union. The very superiority of Massachusetts enabled it to be less tenacious of its rights without endangering them. Moreover the act of protesting before the Commissioners was almost an acknowledgment of their jurisdiction. To refuse to be bound by their verdict was perilously near a breach of faith, and could not fail to discredit the federal government.

In 1648 the question was reopened. The Massachusetts Commissioners proposed a compromise, or perhaps one should rather say that they made the dispute a pretext for suggesting a complete rearrangement of the federal constitution.[1] After calling attention to the fact that their colony bore five times as much of the common burdens as any of the others, they proposed that Massachusetts should be allowed a third Commissioner, and that any of the other colonies might by increasing its contribution proportionately obtain the same advantage. They suggested at the same time that the meetings of the Federal Commissioners should for the future be triennial. They also proposed to weaken the authority of the Confederation by a special enactment that the power of the Commissioners should not extend to the government of Indians, nor to the appointment of any general officer of a civil nature to carry out the objects of the Confederation within any of the four colonies. The virtual result of this would have been to reduce the Confederation to a lax alliance of colonies under the leadership of Massachusetts.

Boundary dispute between Connecticut and Massachusetts.

The matter was further embittered and complicated by a dispute as to the boundaries of the two colonies. Owing to the peculiar circumstances under which Connecticut had been settled, the colony could not be properly said to have any fixed limits. The soil had been acquired by occupation, by the conquest of the Pequods, and by

1 These proposals are in the Acts of Commissioners (vol. i. p. 119).

successive purchase of parcels of land from the natives. As we have seen, the colonial government had in a certain fashion acquired the territorial rights of Lord Say and Sele and his partners by agreement with Fenwick. This transfer, however, did not fix the limits of the colony with any precision. It rested therefore with Massachusetts to claim a certain frontier, and with Connecticut, after investigating, and if needs were challenging, that claim, to accept the territory beyond it. The exact southern boundary of Massachusetts, like that to the north, was open to dispute, and the question remained for some years a matter of contention, breeding ill-feeling between the two colonies.[1]

Massachusetts imposes a retaliatory duty.

The Assembly of Massachusetts soon retaliated, not only on the colony whose claims had offended them, but against the confederates who had given those claims their support. In 1649 they passed an act imposing a duty on all goods carried into or out of Boston harbor by inhabitants of any of the three confederated colonies. This was avowedly a measure of retaliation, since the preamble set forth the imposition of the duty by Connecticut, and declared that the government of Massachusetts had expended large sums in fortification. The act furthermore set forth that the works at Saybrook were of no use for defence. A color was given to this statement by the fact that the fort had been burnt down, and, as it seems, had not been fully rebuilt.[2]

If this measure was meant to awe the three weaker members of the Confederation into submission it failed. The Commissioners stood firm and met the aggressive policy of Massachusetts with a remonstrance. In temperate and dignified language they asked the government of Massachusetts how far its conduct agreed with "the law of love and the tenure and import of the Articles of Confederation." In conclusion, they "desired to be spared in all further agitation concerning Springfield."[3] Next year the Massachusetts government voted the repeal of the duty, conditionally on Connecticut also withdrawing the toll at Saybrook.[4] There unfortunately our knowledge of the dispute ends, as there is nothing in the records of either colony to show which prevailed.

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1 For this boundary dispute see Mass. Records, vol. ii. p. 264; Acts of Commissioners, vol. i. p. 150; Connecticut Records, vol. i. p. 570.

2 The order is in the Massachusetts Records (vol. iii. p. 152).

3 Acts of Commissioners, vol. i. p. 158.

4 Mass. Records, vol. iv. pt. i. p. 11.

The Confederacy was soon entangled in fresh difficulties with the natives. As might have been foreseen, the death of Mian-

Indian disputes.

tonomo brought trouble in its train. His followers complained that Uncas had received ransom for his captive and had then slain him, and for this they threatened vengeance.[1] It was even rumored that they were seeking help from those dreaded neighbors, the Mohawks.[2] The Mohican chief turned to the English for protection. Accordingly the Federal Commissioners summoned Uncas and some of the leading chiefs among the Narragansetts to attend their meeting at Hartford in the autumn of 1644. The Commissioners examined the charges against Uncas and declared that there was no proof that ransom had been paid. After some discussion a truce was arranged between the hostile tribes, each pledging itself not to attack the other till after the next crop of corn was planted, and promising that the side which began the war should give the English due warning. The Narragansett chiefs furthermore undertook that if any of those Pequods who still remained in the Nyantic country attacked Uncas they should be seized and delivered up to the English.[3] The truce failed to restrain the Narragansetts, and in the spring Uncas came to his allies with fresh complaints.[4] Thereupon the government of Massachusetts summoned a special meeting of the Federal Commissioners at Boston.[5] They came together, and sent messages to the Indian country requiring the two rival tribes to send representatives to Boston. The Narragansett chiefs neglected the summons, and treated the messengers with contumely. The Commissioners then decided on war. A force of three hundred men was raised, a hundred and ninety from Massachusetts, forty each from Plymouth and Connecticut, and thirty from Newhaven. The troops from the two last named colonies strengthened by forty men from Massachusetts, were placed under the command of Mason and sent to the help of Uncas.

The circumstances under which the expedition was sent out

1 Acts of Commissioners, vol. i. p. 28.

2 This rumor is mentioned in a letter from Benedict Arnold to Winthrop, and also in one from Mason to Winthrop (*Mass. Hist. Coll.*, 5th series, vol. i. p. 331, and 4th series, vol. vii. p. 411).

3 The expression used is, "any of the Nyantic Pequods." The agreement with the Narragansetts is given in the Acts of Commissioners (vol. i. pp. 28-30).

4 A skirmish between the Narragansetts and Mohicans at this time is very graphically described in a letter from one Thomas Peters to Winthrop (Winthrop, vol. ii. Appendix N).

5 The proceedings of their special meeting are fully recorded in the Acts of Commissioners (vol. i. pp. 32-49); cf. Winthrop, vol. ii. p. 198.

illustrated the weakness of the federal bond and the arrogant attitude of Massachusetts towards the other members. The General Court of Massachusetts declared that a military expedition could not legally be sent out without their sanction. They did not apparently wish that the expedition should be hindered, but only that the commander should have a supplementary or confirmatory commission from themselves. The Federal Commissioners resisted this claim, on the ground that their own powers of making peace and war included all incidental and necessary acts. At last the Massachusetts government gave way, being appeased, as it would seem, by the appointment of one of their own citizens, Major Gibbons, as commander-in-chief of the expedition.[1] Gibbons' instructions were moderate and humane. He was empowered to offer the Narragansetts terms of peace, exacting from them security not to molest Uncas and, if necessary, taking hostages. He might at the same time arrange that the Indians should buy the necessaries of life from the English, but not arms nor ammunition. If they fled to the woods he might occupy their country with one or more small forts.

Expedition against the Narragansetts.

The news of these preparations seems to have struck terror into the Narragansetts. They sent messengers to Boston with a present of wampum. Winthrop, on behalf of the colony, refused to accept it. The messengers thereupon asked to leave the wampum at Boston, while they returned and consulted their chiefs. It was then determined that the present should be formally sent back, as a decisive proof that the English were resolved to defend Uncas. At the same time the messengers who took back the wampum were to tell the Narragansett chiefs that if they would themselves come to Boston, and restrain their people from all attacks upon Uncas, they might yet obtain peace. The two envoys, Harding and Welborn, went even beyond the pacific purpose of their instructions, and incurred blame from their government by writing to Mason to stay his hand, as there were hopes of a peaceful issue.

Submission of the Narragansetts.

The show of firmness had produced the desired effect. The chief men of the Narragansetts came to Boston, accompanied by one of the Nyantics, to ask for peace on behalf of both tribes. In August a formal treaty was signed.[2] The Narragansett chiefs un-

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1 For this dispute see the Acts of Commissioners, vol. i. p. 36

2 Gibbons' instructions, the subsequent proceedings and the treaty are all fully reported in the Acts of Commissioners, vol. i. pp. 38-48.

dertook to submit their disputes with Uncas to the arbitration of the English, and to deliver up all fugitive slaves, together with all those who had done any injury to the settlers. They were also to pay a heavy tribute in wampum, and to give hostages for the execution of these articles, and for the future preservation of the peace.

The Narragansetts violate their agreement.

In spite of this settlement disputes again broke out next year. The tribute of wampum was not duly paid, and it was said that the chiefs who had promised to send their own children as hostages substituted others of lower rank.[1] Moreover, Sequasson, a kinsman and ally of Miantonomo, was charged with a scheme for murdering some of the leading settlers in Connecticut, and for shifting the blame of the attempt upon Uncas.[2]

The conduct of the settlers was just and forbearing. The Federal Commissioners summoned the two chiefs, Pessacus and Ninigret, who were held mainly responsible for the disturbances and for the non-payment of the tribute, to appear at Boston. Pessacus professed that he was sick and could not come, and intrusted the defence of his case to Ninigret. The latter freely confessed that his ally had failed to carry out the agreement. He at once induced his countrymen to pay a part of the arrears of their tribute, and promised to make them fulfill the rest of the treaty. The Commissioners professed themselves satisfied, and suffered Ninigret to return to his own country.[3] In 1648, fresh charges were brought against Ninigret and Sequasson. It was said that the wampum which should have been paid as tribute to the English had been sent to the Mohawks, to buy their help against Uncas,[4] and there was even a rumor that a small tribe, the Nancotics, in the neighborhood of Springfield, were dependent on the Mohawks, and had presumed on that alliance to harass the English.[5]

There is a tradition that the settlers had by singular good fortune won the friendship of the Mohawks. A small party of that tribe had made a raid on the natives near Newhaven. The Mohawks were outnumbered and defeated. One of their chiefs was

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1 Acts of Commissioners, vol. i. p. 75. These charges are also stated by Winslow (*Hypocrisy Unmasked*, p. 86).

2 Acts of Commissioners, vol. i. p. 66.

3 *Ib.* pp. 86-9.

4 *Ib.* p. 116.

5 This is stated in a letter from William Pyncheon to Winthrop, written from Springfield, July 5, 1648. The letter is given by Mr. Savage (vol. ii. Appendix P).

taken prisoner, and exposed, bound and naked, in a swamp swarming with mosquitoes. The settlers mercifully rescued him, and it is not unlikely that the incident may have helped to lay the foundation of that lasting and invaluable friendship which united the Mohawks to the English.[1]

The intrigues of the Nyantics and Narragansetts with the Mohawks were reported to the Commissioners by Mason and Williams. They said that the two tribes had sent their women and children to places of safety, and were only waiting for a party from the Mohawks to fall upon Uncas. The Federal Commissioners at once sent a message of remonstrance.[2] Apparently the mere knowledge that the plot was discovered was sufficient to deter the Indians from going further. The Mohawk force was delayed by hostilities with the French and with their allies the Hurons,[3] and the Narragansetts and Nyantics seem thereupon to have abandoned their designs against the Mohicans.

The dread of an Indian attack was now supplemented by danger from another quarter. In 1646, the continued encroachments of Newhaven called forth a remonstrance from the Dutch Governor. Certain Newhaven merchants bought a tract of land from the Indians near the mouth of the Housatonic, and set up a trading house on it. Kieft thereupon wrote to Eaton, threatening that if the trespassers did not withdraw they should be put out by force. The Court of Newhaven sent a somewhat quibbling answer, caviling at the local names used by Kieft, and proposing with shameless unfairness that the matter should be referred for arbitration to the King or Parliament of Great Britain.[4]

Disputes with the Dutch.

This was not the only ground of dispute. The English at Hartford now lodged various complaints against their Dutch neighbors with the Federal Commissioners. A Dutchman was charged with having carried off an Indian woman, the slave of an English settler, to make her either his wife or his mistress. The Federal Commissioners wrote to Kieft, complaining of this and other petty misdeeds.[5] In the following year Kieft was replaced by a governor of a widely different stamp, Peter Stuyvesant, a bold and plain-spoken soldier. Scarcely had he been installed as Governor,

1 The incident is told by Trumbull (vol. i. p. 160).
2 Acts of Commissioners, vol. i. pp. 117-8.
3 *Charlevoix*, vol. i. b. vii.
4 The protest and answer are in the Newhaven Records (vol. i. p. 265).
5 Acts of Commissioners, vol. i. pp. 63-5.

when in a formal letter to Winthrop he asserted the Dutch claim to all the land between the Connecticut and the Delaware, and proposed a conference at which the matter might be discussed. Winthrop laid the letter before the Federal Commissioners, who expressed themselves willing to meet Stuyvesant. For the present, however, they abstained from entering on the question of territorial rights.[1]

Before any definite arrangements could be made for a conference fresh sources of dispute sprang up. Stuyvesant's officers seized a Dutch ship which was trading without a permit from the New Netherlands Company in Newhaven harbor. Soon after the government of Newhaven refused to give up certain runaway servants claimed by Stuyvesant. He therefore retaliated in kind. At the same time he wrote to the Governors of some of the other English colonies, explaining that he disapproved of such conduct on principle, but that he was driven to it in self-defence. An angry correspondence followed.[2] In one letter Stuyvesant somewhat petulantly asserts the territorial rights of his country, by addressing the Governor of "Newhaven, in New Netherlands." But with that exception his tone is sober and dignified, and contrasts favorably with that of his opponents.

The prompt measures adopted by the settlers in 1648 had restrained the Narragansetts and Nyantics for the moment, but in the next year the danger revived. Ninigret still failed to pay the tribute required of him, and Uncas complained, as before, that his life was endangered by the intrigues of his enemies. Ninigret was therefore summoned to Boston to attend before the Federal Commissioners. After his arrival the settlers were further alarmed by a rumor that his daughter was to be married to the representative of Sasacus, and that an attempt was to be made to restore the power of the Pequods. Ninigret seems to have given no satisfactory answer to the charges brought against him. He was dismissed with a caution, and the governments of the various colonies were warned to be on their guard against an attack.[3]

Further danger from the Narragansetts.

Early in 1649, an event took place which must for a while have turned aside the thoughts of Massachusetts, and one may well believe of all the New England colonies, from their dis-

1 Winthrop, vol. ii. p. 314.

2 The letters are given in the Appendix to the Newhaven Records (vol. i.). The previous proceedings are fully told by Winthrop (vol. ii. pp. 314, 315).

3 These proceedings are fully recorded in the Acts of Commissioners (vol. i. pp. 143–5).

putes. On the twenty-sixth of March, John Winthrop died. He was but sixty-three, and neither in speech nor writing did his later days show any traces of failing powers. The loss of such an one in the full strength of mind would at any time have been heavy. It was doubly heavy at a crisis which so peculiarly needed conciliatory wisdom. His career has already of necessity been told in telling the political history of Massachusetts. For Winthrop has no independent or personal greatness which stands detached from the life of the community. In this he is like the great Parliamentary leaders of the seventeenth century, like the founders of the American Republic. He is, on a narrower stage, the counterpart of Pym and Hampden, the forerunner of Washington and Madison. He was not a constructive statesman of the type of Wolsey or Strafford, with a definite policy to be enforced from without, sometimes reactionary, sometimes progressive to the verge of revolution. In his writings and in those political actions which are commemorated he clearly recognizes the doctrine that the life of a free and intelligent community must shape itself, that it cannot be forced into any moulds which the wisdom of a statesman may think best.

Death and character of John Winthrop.

Yet Winthrop was far more than a mere successful administrator. He was more than those whom it would be unfair to set down as merely effective administrators, those whose ideal of statesmanship is to interpret and give effect to the popular will. He is raised above such a statesman as Walpole, not more by the dignity and purity of his personal character than by the loftiness of his political views. He never scrupled to face unpopularity and to tell unpalatable truths. His fearless independence goes far to redeem the worst side of his career, his harsh treatment of heretical leaders and unpopular beliefs. Undoubtedly he showed himself indifferent, at times unjustly and cruelly indifferent, to the rights of minorities. But we may be sure that he did so, not because he looked on the voice of the majority as infallible, but because the minorities with whom he had to deal represented to his mind the mere temporary result of crude and unreasoning fanaticism.

We can see too that all Winthrop's personal sympathies were with order and discipline rather than individual effort and progress. In that he did but reflect a movement of which Puritanism was one phase, the reaction against the Renaissance, with its passion, its self-will, its absence of restraint. Winthrop was indeed

Wootton's perfect man, "whose passions not his masters are." Nor can we doubt that he judged the peculiar needs of New England rightly, though he may have been willing to satisfy them at too great a cost. Those tendencies to disruption inherent in the life of a young community can only be kept in check by the rigid pressure of a uniform system. With Winthrop indeed, as with those by whom he was surrounded, the craving for uniformity led to measures by which individual opinion was stifled, and the mental growth of the community checked and stunted. But, over and above the peculiar necessities of New England life, two pleas may be fairly urged in extenuation of Winthrop's intolerance. It can scarcely be said too often that in this matter the men of the seventeenth century must not be judged by the standard of the nineteenth. Even in the present day it may well be questioned how far toleration, apart from indifference, has taken any deep root. "Suffer the tares to grow," is a doctrine more often preached than loyally accepted and carried out.

Moreover, while Winthrop appears to us stained with the guilt of persecution, in all likelihood his contemporaries regarded him as stained with the guilt of undue lenity. Tradition tells us that one of his last public acts was to refuse Dudley's request that he would sign an order for the banishment of a heretic, saying that he had done too much of that work already.[1] Whether that story rests on any basis of fact or not, it is certainly significant that the worst outburst of religious fury in New England, the cruel persecution of the Quakers, did not come about till the sobering and restraining influence of Winthrop had passed away, and the colony had come under the control of that cruel and narrow-minded man, John Endicott.

We may well believe too that the influence of Winthrop would have been of peculiar value in the coming struggle between Massachusetts and the other colonies. Not merely his upright temper and statesmanlike mind, but his personal interest in Connecticut, in which his son was now one of the chief citizens, would have led him to look with sympathy on the claims of the weaker colonies. His whole temper and attitude of mind fitted him to play the part of an arbitrator and a peacemaker. The confederates would have felt confidence in his fairness; Massachusetts would have felt confidence in his patriotism.

1 Hutchinson, vol. i. p. 151. The tradition is so unlike what a New Englander would have invented for the glorification of his countryman that I am inclined to believe it.

If New England had reason to mourn for the statesman, assuredly the student of New England history has scarcely less ground for regretting the writer. The value of Winthrop's work is not fully felt till we endeavor to thread our way through the later annals of his country without its help. It would be difficult to name any work of which the substantial merit was so little indicated by the outer form. Not indeed that the book is cumbrous or obscure or unskillfully written. But it is professedly a diary or chronicle, composed without any appearance of literary arrangement or grace. Yet one lays it down with the feeling that the whole internal life of Massachusetts has been disclosed. Nor, when the subject demands it, is there any lack of that weight and dignity of speech which comes from clearness and simplicity of mind. And in the whole field of history it would be hard to name any work, written by one who had taken a leading part in the events recorded, so free alike from egotism and from the conscious and ostentatious avoidance of egotism.

Value of his history.

In the year following Winthrop's death the Commissioners took further measures to enforce fulfillment of the terms to which Ninigret and Pessacus had assented. Atherton, a Massachusetts soldier, was sent with twenty men to exact tribute from Pessacus, and to warn Ninigret that his intrigues were known. Tradition tells how Atherton with his troop marched into the village where Pessacus dwelt, how he posted his men round the wigwam of the chief, and, boldly marching in, haled him out by his scalp-lock, and how the terrified chief at once paid up the arrears of tribute.[1] Of Atherton's dealings with Ninigret we know nothing beyond the fact that he carried out the instructions of the Commissioners.[2]

Atherton's expedition against the Indians.

Meanwhile Stuyvesant had shown his anxiety for peace by making a journey from New Netherlands to Hartford to meet the Federal Commissioners. Though he had come in person, he wisely proposed that the preliminary negotiations at least should be carried on in writing. The proceedings began with a statement of grievances on the Dutch side. The chief of these were that the English had encroached on Dutch territory, that they had detained fugitives, interfered with the trade of Dutch vessels, and spoilt the Indian

Negotiations with the Dutch at Hartford.

1 Hutchinson, vol. i. p. 142 *n*.

2 The instructions are given in the Acts of Commissioners (vol. i. pp. 168, 169). Atherton's name does not appear, but a blank is left for the commander.

fur market by paying extravagant prices. Stuyvesant furthermore complained that Staunton, who acted as interpreter for the English among the Indians, had slandered him. The complaint does not specify the calumny, but the answer made by the English representatives shows that it consisted in repeating what the Indians had said concerning Stuyvesant's encouragement of them against the English. Finally, he complained of injustice inflicted on one Lokman, who had been punished by the English for selling ammunition to the savages.[1] This letter was dated from New Netherlands. As it was written from Hartford, this was understood to be meant as a territorial claim. The Commissioners refused to treat till this was altered, and Stuyvesant gave way. The English representatives then made a detailed answer to Stuyvesant's charges. On the territorial question they contented themselves by reaffirming their claim to the Connecticut river. They disclaimed any wish to hinder the Dutch trade, except so far as any dealings with the Indians might be dangerous. Their answer on the third head is noteworthy, and shows how self-interest may quicken men's perceptions of economic truth. Stuyvesant's complaint that the English merchants undersold the Dutch implied the propriety of some agreement for regulating trade, and reducing it to a monopoly. The Commissioners decline to inquire "by what rules the traders, whether at Aurania Fort or Springfield, walk." "Trade is free, and merchants attend their own convenience, and will hardly continue a trade driven to lose; but laws to limit, if not well considered, will be soon repealed." To the charge brought against Staunton, the English answered that he simply reported what he had heard; but they make the admission, important in reference to later events, that the Indians are subtle, and may have their own ends. They defend the treatment of Lokman by the Court of Connecticut. He had been given a fair trial, and if he renews his malpractices he will meet with a like punishment again. Finally, the English Commissioners brought forward their own grievances; the various outrages committed by the Dutch settlers at Hartford, and the successive attacks made on the English when they had attempted to settle, or even to trade, south of the Hudson.

At this stage of the dispute Stuyvesant proposed that matters should be referred to four arbitrators, two appointed by each side. He himself chose as his representatives two of the English settlers

1 For Lokman's offence see Connecticut Records (vol. i. p. 198).

at New Netherlands, Willet and Baxter. The other side appointed Bradstreet, of Massachusetts, and Prence, of Plymouth. After discussion and a full hearing of both sides, a formal agreement was drawn up and signed by the four representatives. A boundary line was fixed; Greenwich was restored to the jurisdiction of Newhaven, and the Dutch at Hartford were secured in possession of their territory. With reference to the wrongs complained of by each party, the arbitrators refused to express a decided opinion, but referred the matter to the home governments of England and the United Provinces. At the same time they sought to smooth over matters by a declaration that most of the wrongs complained of by the English were committed before Stuyvesant had been appointed, and that Kieft was really responsible for them.[1]

English encroachment on the Delaware.

The disputes which should have been set at rest by this treaty soon broke out afresh. In 1651 a party of emigrants from Newhaven once more attempted to establish themselves on the territory by the Delaware. Stuyvesant apprehended them, and only released them upon their promising to abandon their attempt. The victims of the attack brought their grievance before the Federal Commissioners, and induced them to write a letter to Stuyvesant, protesting against his unjust and unneighborly courses.[2]

Rumors of a conspiracy between the Dutch and the Indians.[3]

Next year a rumor reached New England that a conspiracy was on foot between the Dutch and the Indians to cut off the English settlers. Three Commissioners were sent to New Netherlands to inquire into the matter. Stuyvesant seems to have behaved with perfect fairness and moderation, and to have thrown no hindrance in the way of the Commissioners. He demanded reasonably enough that the inquiry should be conducted by a joint tribunal.[4] The English representatives demurred to this. Their system of inquiry seems to have been to hear and record, without scrutiny of any sort, every statement which made in favor of the charges against the Dutch. Yet it cannot be said that this credulity was wholly without excuse. The conduct now imputed to the Dutch was in

[1] The whole of these proceedings are in the Acts of Commissioners (vol. i. pp. 171-191); Brodhead, vol. i. p. 518.

[2] The petition and the letters are in the Acts of Commissioners (vol. i. pp. 210-5)

[3] The report of the three Commissioners of Inquiry, and the proceedings of the Federal Commissioners and of the Dutch government in connection with it, are all given in the Acts of Commissioners (vol. ii.), under the year 1653; cf. Brodhead.

[4] Acts of Commissioners, vol. ii. p. 37.

no wise worse than the conduct of their countrymen twenty-seven years earlier in Japan. And when Stuyvesant complained that civilized men should rely upon the testimony of the savages, the English not unfairly retorted that at Amboyna the Dutch had tortured Englishmen on charges unlikely in themselves, and resting on the unsupported testimony of the Japanese. Nor is it possible to read all the depositions on which the English acted, without feeling that they had some reasonable cause for alarm. There may have been nothing to show that Stuyvesant had suborned the Indians to cut off the English. But there certainly was ground for thinking that he had spoken of the English to the Indians in a contemptuous and hostile spirit, and that he was not unwilling, in case war broke out, to secure the support of the savages.

As might have been expected, the two southern colonies, Connecticut and Newhaven, were clamorous for war. Their zeal was quickened by the English who dwelt within the Dutch border. In 1644 a colony from Stamford had settled at Heemstede, on Long Island, not far from its south-west point. They now made overtures to the Federal government.[1] Underhill too was plotting against his new masters. For endeavoring to stir up a rebellion on Long Island he was imprisoned. He was soon released, renewed his malpractices, and was banished.[2] He then fled to Rhode Island, where he was well received, and obtained from the government a commission to take all Dutch vessels that might come into his power, and generally to wage defensive war against the Dutch.[3] The aggressive policy of Newhaven and Connecticut may have been culpable, but it is at least intelligible. It is hard to understand what pretext Rhode Island could find for interfering in the quarrel. Meanwhile the Federal Commissioners had drawn up a report setting forth the injuries sustained from the Dutch during the last thirteen years. It is obvious that the treaty of Hartford should have been regarded as setting at rest all prior claims and disputes, and that if war was to be made it should have been avowedly made on the facts which had come to light since.

Dissensions within the Confederacy.

The combative temper of Connecticut and Newhaven was paralyzed by the persistent determination of Massachusetts to keep the peace. In 1653 seven of the eight Commissioners voted for declaring war, both against the Dutch and the Nyantics, while Bradstreet of Massachusetts alone

1 Acts of Commissioners, vol. ii. p. 51.
2 *Ib.* pp. 31, 52, 426.
3 Rhode Island Records, vol. i. p. 266.

stood fast on the other side.[1] The question was referred back for special consideration to the Deputies in Massachusetts and to the Elders.[2] Hathorne, Bradstreet's colleague, gave his voice for war,[3] and Norris, the minister of Salem, invoked the curse of Meroz on his brother citizens.[4] A conference was held, at which three of the Commissioners, Hathorne among them, met the representatives of the Court of Massachusetts, but to no purpose. The Court as a whole supported Bradstreet, and voted that the Commissioners had no power to engage the Confederacy in an offensive war.[5]

It seemed for a time as though the weaker colonies would make war on their own account. The three outlying settlements, Stratford, Fairfield, and Stamford, were naturally the most eager for vigorous measures. The last named addressed a special petition to the Court of Newhaven, urging them to war, and asking leave to raise a volunteer force in the neighboring towns. The men of Fairfield went even further. They held a town meeting, at which it was decided to raise troops, to be placed under the command of Ludlow. The governments of Connecticut and Newhaven were more temperate. They decided that the season was too far advanced for operations. The leaders of the war party at Fairfield were punished, and bound over to keep the peace.[6]

Next year the dispute between the federated colonies was practically set at rest by the action of the home government. The short-lived war between England and Holland, ended by the peace of 1654, relieved the colonies of all responsibility, and gave the smaller settlements a guarantee that their safety would not be overlooked. The chief result of the war, as far as the colonies were concerned, was the permanent annexation of the Dutch territory at Hartford.

The persistency of Massachusetts had in all likelihood saved the colonies from an unnecessary war. Yet it is difficult to see in it anything but the lucky result of a selfish and unscrupulous policy. Apologists of Massachusetts in modern times have repeated the plea which she then urged on her own behalf, that she did but violate the formal obligation to her confederates in obedience to the higher law which forbids an unjust war. It would be rash for us, judging, as we necessarily must, from imperfect evidence, to pronounce dogmatically on the justice or injustice of the charges

1 Acts of Commissioners, vol. ii. pp. 103-8.
2 *Ib.* p. 52.
3 *Ib.* p. 109.
4 *Ib.* p. 58.
5 Mass. Records, vol. iii. p. 311.
6 Newhaven Records, vol. ii. pp. 47-57; Trumbull, vol. i. p. 214.

urged against the Dutch. But let them have been ever so groundless, that cannot justify the conduct of Massachusetts. That colony had deliberately and of free will made a contract. That contract clearly bound her in certain cases to subordinate her own wishes and her own judgment to those of her confederates. If, as was alleged, the obligations of that contract became intolerable, as conflicting with the higher obligations of morality, no doubt the government of Massachusetts was justified in freeing itself. But it was assuredly not justified in acting as it did, in retaining the advantages of confederation and repudiating obligations so imposed. To deal as Massachusetts dealt with the smaller members of the Confederation was simply to reduce them to the position of dependent allies. We must remember, too, that the Massachusetts government had by other actions deprived itself of a claim to the defence which is urged on its behalf. In judging the conduct of Massachusetts we cannot forget what had been her policy in the case of De la Tour and in the case of Springfield. In the former case she had been ready to entangle herself in a foreign quarrel for no higher object than the pecuniary advantage of the merchants of Boston. In the latter case she had run the risk of breaking up the Confederation on a question of tariff. It is open to us to believe that on the Dutch question the Massachusetts government unwillingly violated their obligation to their allies in obedience to the higher obligation of morality. It is equally open to us to believe that they were selfishly indifferent to the danger of their neighbors. The case of De la Tour makes against the former view. The case of Springfield makes in favor of the latter. When the Federal Commissioners met in 1654, a formal declaration was made by the two representatives of Massachusetts, withdrawing the doctrine which they had asserted in the previous year, and acknowledging the right of the Commissioners to declare war in the name of the Confederation.[1] The declaration was virtually an admission that Massachusetts had broken faith with her confederates. The claim of the right to nullify had served its purpose, and it was now withdrawn with almost cynical indifference. That the withdrawal should have been accepted at all is the best proof how the just rights of the three weaker colonies were crushed by their powerful and arrogant associate.

The foreign relations of the Confederacy soon offered a fresh cause for dispute, and again the pacific policy of Massachusetts

1 Acts of Commissioners, vol. ii. p. 114.

prevailed. Ninigret had been harassing some of the Indians who were under the protection of the English, and was again in arrears with his tribute. The Commissioners summoned him to Hartford to explain his conduct.[1] Ninigret replied that he had sufficient grounds for his dealings with the other Indians, and that there was no need for him to appear.[2] The Commissioners thereupon unanimously declared war against him. A force of forty horse and two hundred and seventy foot was raised. To this force Massachusetts contributed all the cavalry and more than half the infantry. Probably on that ground it was left to the Massachusetts government to choose the commander out of three names proposed by the Commissioners.[3] Though the three named were all Massachusetts men, yet the Court passed them over in favor of Simon Willard. He was thought to be a man of less resolution and military capacity than any of the three proposed, and his appointment excited a not unnatural suspicion as to the zeal and good faith of Massachusetts.[4]

Before the invading force could reach the Nyantic country, Ninigret had fled to the forests. Willard thereupon withdrew his force, and returned without striking a blow, bringing with him over a hundred Pequods, who had voluntarily attached themselves to the English.[5] We can hardly wonder that the settlers in the three smaller colonies, smarting under their recent treatment, should have suspected Willard of thinking more of the wishes of his own government than of the instructions given him by the Federal Commissioners.[6]

Rigby buys up the Plough Patent.

The same masterful temper which had actuated the government of Massachusetts in their dealings with the Confederation had also been displayed towards their neighbors in the north. The territory granted to Gorges as the province of Maine had passed through curious and somewhat complicated changes. As we have seen, a small company had acquired a prior title to a portion of that land under a document called the Plough Patent. It might reasonably have been held that disuse had extinguished any claim which these patentees might have had against Gorges. Their title, however, was now revived to serve

1 Acts of Commissioners, vol. ii. p. 115. 2 *Ib.* p. 125. 3 *Ib.* p. 126.

4 Hutchinson, vol. i. p. 187. The Massachusetts Records refer to Willard's appointment, but give no reason for it.

5 The actual number seems to have been a hundred and ten. Willard's report of his proceedings is published in the Acts of Commissioners (vol. ii. pp. 144-7).

6 Willard was formally censured by the Commissioners. Their letter to him is in the Acts (vol. ii. p. 148).

the ends of an unscrupulous land-speculator. The rights of the Plough patentees were bought up by Alexander Rigby, a prominent member of the Long Parliament.[1] He does not seem even to have acquired a good title, since apparently only two members of the defunct company executed the transfer.[2] In all likelihood he cared little about the legal validity of his claim, relying, as it would seem, on the favor of the authorities in England and on the help of the Massachusetts government. The territory to which he laid claim extended about forty miles along the coast. As we have seen, the original instrument from which he deduced his title is no longer extant. But it seems clear that the tract in question extended from Cape Porpoise on the south to a point not far short of the Kennebec, and thus took in the settlements of Saco and Cape Porpoise and the scattered plantations about Casco Bay.[3] Rigby at the outset injured his cause by his choice of agents. He seems to have given some position of trust to Morton.[4] Although that disreputable adventurer did not take any part in the affairs of Maine, yet it is clear that Rigby by his dealings with him brought some discredit on himself. The other agent, George Cleves, seems to have been little better, though, unlike Morton, he stood well with the Puritans of Massachusetts. In 1637 he had been in Maine, acting for Gorges. It is clear that his conduct at that time was unsatisfactory to his employer.[5] He was soon engaged in a dispute with Gorges' agent, Richard Vines, and in a lawsuit with some of the settlers in Maine, while, at the same time, he refused to acknowledge the jurisdiction of the Proprietor. It is noteworthy that in this difficulty Vines wrote to Winthrop for advice,[6] from which we may infer that no ill-feeling as yet existed between the followers of Gorges and the leading men in Massachusetts.

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1 Winthrop, vol. ii. p. 154. 2 *Ib.* p. 257.

3 Mr. Palfrey thinks that the northern limit of the Plough Patent was Cape Elizabeth. If so, the Casco settlements would have been outside it. But in that case it is hard to see how Cleves held a court at Casco, and in fact made it his headquarters. That he did so appears from the documents quoted further on.

4 Winslow, writing to Winthrop in January, 1644, says that Rigby has "good hap to light on two of the arrantest known knaves that ever trod on New English shore, to be his agents east and west, as Cleves and Morton." It is difficult to understand how Rigby, a Parliament man and a Puritan, became connected with Morton. But Winslow could hardly have been in error on such a point, and the context shows that he had no bias against Rigby. The letter is in *Mass. Hist. Coll.*, 4th series, vol. vi. p. 174. A letter from Gorges to Winthrop, written in August, 1637, shows that Morton and Cleves had some sort of connection (*Mass. Hist. Coll.*, 4th series, vol. vii. p. 329).

5 This is clearly shown by Gorges' letter, referred to above.

6 The letter is in *Mass. Hist. Coll.*, 4th series, vol. vii. p. 34[illegible].

In 1643 Cleves landed at Boston. He there endeavored to obtain a formal confirmation of his proceedings from the Massachusetts government. This was refused, and he had to be content with a private letter of recommendation from Winthrop. Cleves then went on to the seat of his new jurisdiction at Casco. Vines immediately contested his claim by summoning a court at Saco. Cleves, not content with asserting Rigby's claim to a portion of Maine, endeavored to discredit Gorges' title altogether by suggesting that it was a forgery.[1] Soon after this a number of them at Casco, "an ignorant sort,"[2] as Vines calls them, and, according to him, instigated by Cleves, offered to refer the dispute to the arbitration of the Massachusetts government.[3] Vines interfered by arresting their messenger on his way to Boston and binding him over to keep the peace. Soon after Vines himself with a number of his supporters went to Boston, and there lodged a petition, probably on behalf of Gorges.[4] There is nothing extant to show what course the dispute took during 1644. The two parties seem to have stood confronting one another, the one under Cleves claiming the territory north of the Sagadahock, the other under Vines asserting the authority of Gorges over the whole province. An extant letter or report from Cleves to the Massachusetts government shows that during 1645 he was exercising criminal jurisdiction at Casco.[5]

Dispute in Maine between Cleves and Vines.

The misfortunes of the Royalist party had in all likelihood distracted Gorges' attention from his American possessions. In October, 1645, a general Court of the freemen assembled at Saco, and, declaring that they had not lately heard from the Proprietor, chose Vines as Deputy-Governor for the year. At the same time they resolved that this appointment of a Deputy-Governor should be made every year, and that if Vines should leave the colony during his year of office Joscelyn should succeed him.[6]

Vines departs, and a fresh dispute follows.

This contingency quickly arose. Joscelyn seems at once to have acted with more energy than his principal. Accompanied by two of the settlers from the territory claimed by Rigby,

1 Vines to Winthrop (*Mass. Hist. Coll.*, 4th series, vol. vii. p. 347).

2 *Ib.* p. 351.

3 At the same time they proposed to join the Confederacy, in all likelihood in the hope of propitiating Massachusetts.

4 I have taken this account from Winthrop (vol. ii. p. 5) and from the letters of Vines and Cleves (*Mass. Hist. Coll.*, 4th series, vol. vii.).

5 *Mass. Hist. Coll.*, 4th series, vol. vii. p. 366.

6 York Records in *Maine Historical Society's Collections*, vol. i. p. 273.

Robinson and Markworth, of whom the latter had at first submitted willingly to Cleves, Joscelyn went from house to house, forming a party on behalf of Gorges. He succeeded in raising an armed force of a hundred men. With these he confronted Cleves at the General Court of the colony, and demanded that he should produce Rigby's title. When this had been done, Joscelyn and his adherents lodged a protest against Rigby's authority, and charged Cleves to recognize them as the authorized representatives of Gorges. According to the testimony of a witness whose sympathies were on the side of Cleves, the whole proceeding was orderly.[1]

Both parties now appealed to the government of Massachusetts. In the spring of 1646 the question was tried at Boston, by a special jury empaneled for the purpose by the General Court. Cleves and Tucker appeared for Rigby, Joscelyn and Roberts for Gorges. Cleves failed to make good his case. It did not seem clear that the Plough Patent really took in the territory claimed. Moreover, the transfer was only executed by two out of the eight patentees. On the other hand, Joscelyn could only produce a copy of Gorges' patent, which was not held to be legal evidence. The jury accordingly declared themselves unable to find a verdict.[2]

The case tried at Boston.

Rigby next brought the matter before the Parliamentary Commissioners for Plantations. Here he fared better. They not merely accepted his claim, but, if we may believe Winthrop, they even extended his southern boundary twenty miles further than he would himself have placed it.[3] According to this decision, Wells, Casco, and Cape Porpoise formed one colony under the proprietorship of Rigby, while Gorges was left with Agamenticus, Saco, and Kittery.

Decision of Parliamentary Commissioners.

Practically, it made but little difference under what territorial jurisdiction the colony was placed. In 1647 the settlers in the southern province heard of the death of Gorges. They thereupon wrote to his heirs for instructions. But the confused state of affairs in England prevented them from receiving an answer. Another application in the next year

State of affairs in Maine.[4]

1 The whole of this proceeding is fully described in a letter written by Thomas Jenner, the Puritan minister at Saco, to Winthrop, May 6, 1646. It is in the *Mass. Hist. Coll.*, 4th series, vol. vii. p. 359.

2 These proceedings are fully told by Winthrop (vol. ii. p. 256).

3 *Ib.* p. 320.

4 I have taken my account of what follows from the extracts from the records of Maine, published in the *Mass. Hist. Coll.* (1st series, vol. i. p. 101).

fared no better. Accordingly, in July, 1649, the settlers of the three townships met at Agamenticus, and formally declared themselves a body politic. A governor with a council of five were to be elected every year. Godfrey was chosen Governor, with, for the present, four Councilors, one from Agamenticus and three from Kittery. The same records which tell us of this contain entries which throw some light on the social life of the little community. They show us that religion and order were in no wise neglected. One Potum is prosecuted by a grand jury for leading "an idle, lazy life." Another offender of the like kind is sentenced to receive twenty lashes. Adam Goodwin is presented for denying the morality of the fourth commandment, and the Selectmen of Kittery for neglecting to have the children of their town educated and taught the catechism.

Annexation of Maine by Massachusetts.

Hitherto Massachusetts had shown no anxiety to extend its possessions beyond the Piscataqua. But, looking at the dealings of the government with Mason's colony, and at their later conduct towards Maine, we may be almost sure that they had been biding their time, in the well-founded hope that circumstances would throw the townships north of the Piscataqua into their hands. The process was almost an exact repetition of that by which New Hampshire had been absorbed. There was doubtless a sense of weakness and uncertainty which impelled many of the settlers to seek a union with their stronger neighbor. The Massachusetts government again advanced the plea which had served them before, and urged that their northern boundary was the extreme point to which any tributary stream of the Merrimac could be traced. The government of Maine met the demand of Massachusetts by a plea which could not fail to offend that colony. They contended that the *quo warranto* issued in 1637 had overthrown the Massachusetts charter, and all the territorial rights which it carried with it. Against this the Massachusetts government pleaded that the surrender of the great Plymouth charter had nullified all grants that depended on it, that to Gorges among them.[1]

In October, 1651, three commissioners from Boston, Bradstreet, Hathorne, and Denison, went to Kittery to assert the claims of the government and demand submission.[2] Those who remained

1 This plea and counter-plea are set forth in a letter from Edward Rawson, secretary to the Court of Massachusetts, in answer to Godfrey. The letter is in Hazard (vol. i. p. 564).

2 Mass. Records, vol. iv. pt. i. p. 70.

loyal to the heir of Gorges, or who were adverse to union with their Puritan neighbors, petitioned Parliament to resist this encroachment.[1] Winslow however was now in England to urge the claims of Massachusetts. Even without his advocacy it is unlikely that Parliament would have favored the adherents of the fallen royalist. For a year the dispute went on between Godfrey and the Massachusetts government. But to such a contest there could only be one end. The Massachusetts government went through the somewhat meaningless form of ordering a fresh survey of their northern boundary.[2] Upon receiving the surveyors' report they again sent commissioners to Kittery.[3] The settlers there seem to have at once submitted. All grants of land were confirmed, the town was allowed two representatives, and all who would take the oath of a freeman were admitted to the franchise. The rights of the citizens were further guarded by a special stipulation that they should not be required to attend any military training beyond the limits of the township.[4]

The Commissioners then went on to Agamenticus, and received the submission of the inhabitants, Godfrey among them, on like terms.[5] For the present no steps were taken towards incorporating Wells. But in the next year the Court of Massachusetts completed the process of annexation. If Massachusetts had a valid claim to Gorges' province, she had an equally valid one to Rigby's. The line which she claimed as her northern boundary took in all the land occupied under the Plough Patent, just as much as it took in Kittery and Agamenticus. Rigby was now dead.[6] The settlers, therefore, had to choose between the government of Cleves and the government of Massachusetts. There could be little doubt that annexation on such equitable terms as had been granted to Agamenticus and Kittery was better than isolation under a greedy and unscrupulous adventurer. Nevertheless the union was delayed for nearly two years. During the summer of 1653 the three townships of Saco, Cape Porpoise, and Wells submitted, and were incorporated on the same terms as the two southern settlements.[7] Two years later a number of the inhabitants, headed by Cleves, made an ineffectual attempt to overturn this settlement. They first lodged a claim with the Court

1 This petition is published in Williamson's *History of Maine*, 1832 (vol. i. p. 334).
2 Mass. Records, vol. iv. pt. i. p. 98.
3 *Ib.* p. 109.
4 This agreement is in the Mass. Records (vol. iv. pt. i. pp. 122-6).
5 *Ib.* p. 129.
6 Hazard, vol. i. p. 570.
7 For this incorporation see Mass. Records, vol. iv. pt. i. p. 157–65.

of Massachusetts. The Court refused to entertain this, urging the old plea as to the northern boundary.[1] Thereupon Cleves or some of his partisans brought the matter before the authorities in England. At the same time the opposite party, to the number of seventy, petitioned the Protector against any severance from Massachusetts.[2] The paucity of those who signed in proportion to the whole population would lead one to think that there was a large number comparatively indifferent in the matter. The scattered settlements about Casco remained independent till 1658. In that year a formal submission to the Massachusetts government was executed by twenty-eight settlers, of whom half signed with a mark. They were to be united on the same terms as the other northern towns, and, like them, were to retain their civil privileges without any religious qualification.[3]

By this last incorporation the whole settled territory north of Plymouth came under the dominion of Massachusetts. The most noteworthy point about this process of expansion is the manner in which it broke down the system of religious disabilities. Each successive incorporation brought in a body of citizens who were not church-members. This must have increased the dissatisfaction of the disfranchised inhabitants in the older settlements, and accustomed the whole community to the separation of civil and religious privileges.

Disunion among the Narragansett plantations.

In the meantime a curiously similar process had been going on in the Narragansett settlements. There too that which before and after formed a single province had been for a while divided in two. The severance of Rhode Island did not end in the annexation of the colony by Massachusetts, but such a result seemed at one time likely.

The Narragansett settlers had shown no alacrity in using the opportunities of combination given them by their charter. When a union was effected, it was almost at once endangered by the incapacity of the different townships for political cohesion. The details of the dispute are obscure : this only is clear, that it turned throughout on the anxiety of the two island townships to separate themselves from Providence and Warwick. The quarrel seems to

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1 Mass. Records, vol. iv. pt. i. p. 175.

2 The petition with the signatures is preserved in the *Maine Historical Society's Collections* (vol. i. p. 296). The petition itself is in the Hutchinson Collection (vol. ii. p. 30), but not the signatures. It speaks of "several addresses lately made unto your highness by some gentlemen of worth for restitution of their right of jurisdiction over us."

3 Mass. Records, vol. iv. pt. i. pp. 357-60.

have begun in 1648. In that year we read of contentions between Portsmouth and the other three colonies, and we find Williams, true to his character of a peacemaker, proposing that the matter should be settled by a meeting of delegates, three on either side.[1] There is, however, nothing to show that this proposal was ever carried into effect.

Providence incorporated by charter.

In the next year a concession of some weight was made to Providence. The General Assembly incorporated it by charter as a body politic, with power to make and enforce laws and to appoint civil officers. At the same time the Assembly reserved to itself power "to dispose the general government of that plantation as it stands in reference to the rest of the plantations."[2]

Disputes between Warwick and Massachusetts.

Danger now threatened Rhode Island from without as well as from within. During the last two years the confederate colonies had more than once taken up an attitude which menaced the independence of the Narragansett settlements. When the men of Rhode Island would have joined the Confederacy they were refused on the plea that they were already within the limits of Plymouth patent.[3] Massachusetts too showed that she had not forgotten the feud with Gorton. In 1648 the settlers at Warwick had lodged a complaint with the Federal Commissioners against the neighboring Indians, who were under the control and protection of the Massachusetts government. The savages had killed the cattle, pilfered from the houses, and maltreated the servants of their English neighbors. This conduct was visited with a rebuke from the Commissioners, but the mildness of it contrasts curiously with the severity of their usual dealings with the Indians.[4] In the next year a petition from Holden to be allowed to visit Boston on private business was peremptorily refused by the Court of Massachusetts.[5] The men of Warwick then renewed their complaint against the Indians. This time the aggrieved settlers appealed to the order given by the Parliamentary Committee that they should receive protection and assistance. The reply of the Federal Commissioners was ominous. They declined to redress the wrongs complained of, and

1 Letter from Williams to the town of Providence, August 31, 1648 (*Narr. Hist. Coll.*, vol. vi. p. 149). Williams refers further to these dissensions in a letter to Winthrop, apparently written about the same time (*ib.* p. 166).

2 R. I. Records, vol. i. p. 214.

3 Acts of Commissioners, vol. i. p. 110.

4 The complaint and the rebuke are both given in the Acts of Commissioners (vol. i. p. 111).

5 Mass. Records, vol. iii. p. 257.

reminded the petitioners that the Commissioners had treated the claim to the territory of Warwick as an open question. They they said, they were now willing to investigate.[1]

Unsuccessful attempt by Massachusetts at annexation.

As before, Massachusetts had an ally in the enemy's camp. In 1650 the settlers at Patuxet lodged a complaint with the government of Massachusetts against that of Rhode Island. The Court at Boston thereupon sent a letter to Rhode Island, forbidding the government of that colony to prosecute any suits against the subjects of Massachusetts. The Court also entered into negotiations with Plymouth for a transfer of such rights as that colony possessed over the territory of Rhode Island. Plymouth accepted the proposal, and made over its rights in the soil of Warwick and Patuxet. At the same time the Plymouth government loyally refused to break faith with Providence, and stipulated that the settlers there should enjoy their own lands unmolested. Massachusetts accepted this transfer, and at the next meeting of the Court Warwick and Patuxet were formally incorporated.[2] Rhode Island at once protested. The Federal Commissioners had assuredly no reason to wish for the territorial aggrandizement of Massachusetts. They interposed with a recommendation that the territory should be restored to Plymouth, and Massachusetts with unwonted compliance gave way.[3] Theoretically, the dismemberment of Rhode Island was the same in either case. Practically, it made no small difference whether that colony had to reckon with Plymouth or with Massachusetts.

Further attempt in 1651.

The condition of the distracted colony was now complicated by fresh issues, political and religious. Early in 1650 Coddington was in England agitating successfully for the severance of the island from the mainland settlements.[4] In May 1651 the settlers at Patuxet had again petitioned the Massachusetts government to protect them against a tax levied by the Court of Rhode Island. The tone now adopted by Massachusetts was even more threatening than before. A formal letter was sent by the Court to Roger Williams, warning him that if the government of Rhode Island did not remit the tax they would seek redress in such manner as God should put into their hands.[5]

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1 Acts of Commissioners, vol. i. p. 150.

2 For the agreement and the incorporation see Mass. Records, vol. iii. p. 198–201.

3 Acts of Commissioners, vol. i. p. 171; Mass. Records, vol. iii. p. 216.

4 Coddington went to England in January 1650. This is stated by Williams in a letter to the younger John Winthrop (*Narr. Hist. Coll.*, vol. vi. p. 168).

5 The letter is in Mass. Records (vol. iii. p. 228).

The events of eight years earlier left little doubt as to the meaning of the threat.

If the Massachusetts government had adopted the same patient and conciliatory policy which guided them in their dealings with Maine, in all probability they would have been rewarded with like success. An act of intemperate bigotry hardened and united the Rhode Islanders in their resistance. We have already seen in the case of Gorton what a peculiar odium attached to the tenets of the so-called Anabaptist. Other heresies might be spiritually dangerous; this was supposed necessarily to carry with it a repudiation of all moral laws. It might be safely assumed that the man who denied the validity of infant baptism was prepared to emulate all the enormities of John of Leyden. Whatever might be the civil and political errors of the Rhode Islanders, it was at least clear that with them religious persecution had not borne its usual fruit, and that the emancipated victim had not used his freedom to become an oppressor. Religious liberty in Rhode Island was a reality, not a name. Among those who had taken a leading part in the introduction of Baptist tenets into the colony was John Clarke. He was one of the original fugitives from Massachusetts who had settled at Aquednek, and he was now pastor of a Baptist church at Newport. The difference between Winthrop and the author of the Wonder-working Providence was not wider than the difference between Clarke and Gorton. Clarke's own account of his sufferings in New England, though somewhat prolix, is clear, free from extravagance and vituperation, and not wanting in dignity of tone. Perhaps the highest testimony to his merits is the absence of any contemptuous or condemnatory reference on the part of the orthodox New England writers.

Punishment of Baptists in Massachusetts.

In the summer of 1651 Clarke went to visit an aged Baptist living within the boundary of Massachusetts. A modern writer has suggested a theory which did not commend itself even to the malignity of contemporary partisans. According to him, Clarke put himself in the way of martyrdom in hopes of quickening the antipathy of his brother settlers against Massachusetts, and reminding them what they would have to dread from union or annexation. The silence of contemporary writers is a sufficient answer to that far-fetched theory.[1] Clarke was accompanied by two others of his own creed, John Crandall, a member of his

1 Palfrey, vol. ii. p. 350.

church, and Obadiah Holmes, who had just fled from Plymouth after an unsuccessful attempt to found a Baptist congregation at Seekonk. Intolerance and brutality were now enthroned at Boston, personified in the governor, John Endicott. Almost immediately on the arrival of the three Baptists within the boundaries of Massachusetts they were arrested. We have seen how, in the case of Mrs. Hutchinson, the Massachusetts government, not content with silencing the heretic, made a strenuous effort to convert her. The Baptists were now dealt with in like manner. After their arrest they were carried to church. Clarke, at the end of the service, sought to address the congregation, but was at once stopped. The prisoners were then brought before the Court on the charge of Anabaptism. No theological inquiry into the details of their teaching or belief was needed to establish the charge. A law passed in 1644 had definitely made it a crime, punishable with banishment, openly or secretly to preach Anabaptist doctrines, that is, to deny the validity of infant baptism or the necessity of a civil magistracy.[1] The first clause was undoubtedly applicable to Clarke and his companions. Accordingly they were fined, Clarke twenty pounds, Holmes thirty, and Crandall five, with flogging in default of payment.[2] In all likelihood Holmes' previous conduct at Seekonk was the cause of his incurring the heavier penalty. All three refused to pay their fines, protesting that they were guilty of no crime. Clarke's fine was paid by some unknown friend, and Crandall was released on bail. In the case of Holmes the penalty of scourging was inflicted. The record of his sufferings as told by himself is a curious study. It is clear that he was a man of a highly conscientious and enthusiastic temper, with a somewhat morbid eagerness for martyrdom, yet distrustful of his own physical endurance. Offers were made to pay his fine, but he rejected them as temptations of the Evil One. Yet even then he was tortured by conscientious doubts. Was he really longing to suffer for the sake of truth and not from any spirit of pride or self-will? Then he "remembered the weakness of the flesh to bear the strokes of a whip, and prayed earnestly to the Lord to give him a spirit of courage and boldness to speak for Him,

1 Mass. Records, vol. ii. p. 85.

2 These sentences are mentioned by the sufferers themselves (*Ill News*, p. 327, and the statement is confirmed by Roger Williams in a letter to the younger John Winthrop (*Mass. Hist. Coll.*, vol. vi. p. 210).

and strength of body to suffer for His sake, and not to shrink and yield to the strokes or shed tears, lest the adversaries of the truth should thereupon blaspheme and be hardened, and the weak and feeble-hearted discouraged."[1] When his friends urged him to fortify himself against the punishment with wine he refused, lest his endurance should be attributed to drunkenness, or at least to fleshly means, rather than to spiritual strength. His self-distrust proved unfounded, and when he received thirty strokes with a three-corded scourge he turned to the magistrates with "joyfulness in his heart and cheerfulness in his countenance," and told them that he had been "struck as with roses." It is impossible to say how far this was due to the mercy of the executioner or to the high-strung enthusiasm of the sufferer.[2] Two of the bystanders turned to the criminal with words of pity and shook his hand. For this crime they were fined.[3] The most noticeable feature in this affair is not the persecuting cruelty of the rulers and Elders, but the undercurrent of toleration and sympathy which we can clearly trace. Wilson, the pastor of Boston, the former persecutor of Antinomians, the future persecutor of Quakers, than whom orthodoxy in New England had no champion more cruel and more ungenerous, might dishonor the judicial tribunal by cursing and smiting the prisoners. That wrong-headed and bad-hearted man who now held the highest office of state might insult the very laws which he had to administer by telling the prisoners that, though their penalty was but a fine, they justly deserved to die. But there were citizens of Boston who did not shrink from cheering the victims and lightening their sufferings. The priesthood and the rulers of Massachusetts had to make their yoke yet more hateful in the eyes of their countrymen ere it could be broken, but signs were not wanting to show that deliverance was drawing near.

It is unlikely that Clarke's fellow-citizens took much heed of

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1 *Ill News*, p. 48. 2 *Ib.* p. 51.

3 *Ib.* Backus (vol. i. p. 237 *n.*) quotes a manuscript, of about 1720, in which it is stated that Holmes was scourged with such severity that for days he could only rest on his elbows and knees. I can hardly think that Holmes, whose account is very full, could have omitted such a particular. One would fain hope that his difficulty in reposing was no more than that with which many public-school boys are familiar. It is characteristic of the sobriety of Backus and the soundness of his historical method that he merely gives the statement, with his authority, to be taken for what it is worth. Mr. Arnold is less cautious, and repeats it as a certain fact. He also says that Hazel, one of those who were fined for condoling with Holmes, "died before reaching home." This seems to imply that the severity helped to kill him, but as he was old and infirm, it is rash to assume that his death was even hastened by his punishment.

so commonplace an incident as the cruel and ignominious expulsion of these heretics from Massachusetts. The secular politics of their colony gave them more serious subject for thought. Coddington's journey to England had been, for his own ends, fully successful. In March 1650 he lodged a petition with the Committee of the Admiralty, praying for the territory of Aquednek and the small adjacent island of Conanicut, on the plea that he had discovered them, and purchased them from the natives.[1] It is not easy to see why the petition should have been lodged with a Committee of the Admiralty rather than the Commissioners for Plantations. Whatever legal justification there might be for Coddington's proceedings, it cannot be doubted that it was a breach of faith with his fellow-citizens. The only opposition, however, which was offered was not on behalf of those who occupied the soil, but to guard the alleged legal title of Plymouth.[2] Winslow's influence with the Parliamentary leaders availed him nothing. In April 1651 a commission was made out appointing Coddington Governor of Aquednek and Conanicut.[3] He had power to administer the law and to raise forces for the defense of the colony. No specific provision was made for the form of government. But Coddington was authorized to appoint six Councilors, who were to be nominated by the freemen of Portsmouth and Newport. This seemingly meant that the freemen were to return representatives and the Governor to confirm the appointment. The effect of this would have been to undo all that Williams had done four years earlier towards the union of the four townships. To the two island colonies it meant a transfer of jurisdiction in which they were in no way consulted. It also, in all likelihood, meant annexation to the Confederacy. But to the two mainland townships, Warwick and Providence, it meant far worse. The two island settlements, even if they should be attached to the Confederacy, would always, by virtue of their wealth and their position, enjoy a certain amount of weight and independence. But the mainland settlements, isolated and hemmed in, would speedily be swallowed up by one of their larger neighbors.

Coddington goes to England, and obtains a grant of Aquednek and Conanicut.

1 *Colonial Papers*, 1650, March 20.
2 *Ib.* March 27, April 9, April 11, April 17.
3 *Ib.* 1651, April.

The tone of New England writers from Winthrop downwards has implied that the Narragansett settlers were a herd of anarchical fanatics. The sober and practical wisdom of their conduct in this is an ample refutation of that view. The two townships on the mainland and those on the island at once acted in concert, though to some extent with different aims. Each sent a representative to England. In the choice of one there could be little room for doubt. In every emergency where diplomatic tact and public spirit were needed the burden of public service was sure to fall on Roger Williams, to be loyally accepted and zealously and efficiently fulfilled. Both the island and mainland townships wished to employ Williams, but the latter appeared to have either secured his services first or had a better claim to them. A worthy substitute was found in Clarke.[1] Williams' present mission was to supplement and complete that which he had undertaken four years earlier, by obtaining a confirmation of the charter. Clarke was to protest against Coddington's grant in the name of the two settlements whose rights were endangered.

The Narragansett settlers resist.

The agents relied much on the friendship of Vane, and they were not deceived. In April 1652 the petition was referred to the Committee for Foreign Affairs.[2] In the following September Coddington's commission was revoked by an order of Council, which at the same time directed the townships to unite under the old charter.[3]

Coddington's grant revoked.

It seemed for a while as if the work of Williams would be frustrated by the perversity of the settlers. There were two parties in the mainland townships. Some were ready to join with Newport and Portsmouth: others rather wished for a separate legislature, or could not agree upon terms of union. The result was that in May 1653 two rival assemblies met, one at Newport, at which deputies from all four townships appeared; the other at Providence, claiming to act for the settlers on the mainland.[4] To complicate matters yet further, Coddington refused to accept the revocation of his charter as authentic,[5]

Further disputes.

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1 The formal entry is, "That a letter be sent to Mr. Williams to capitulate about his going to England, and if he refuse Mr. Baulston, Mr. Jo. Clarke, and Mr. Warner are nominated, for two of them may go" (R. I. Rec. vol. i. p. 231).

2 *Colonial Papers*, 1652, April 8.

3 This is stated by Backus (vol. i. p. 277). The order does not appear to be extant.

4 My account of this dispute is taken from Backus, confirmed and supplemented by the Records.

5 R. I. Records, vol. i. p. 265.

while the inhabitants of Patuxet were again petitioning Massachusetts against the claim of their own government to levy taxes.[1] The breach between the two sections of the colony was, if not caused, at least widened, by a dispute about foreign policy, not unlike that which so nearly severed the Confederation of the Four Colonies. The wealthy and enterprising traders on the island were anxious for vigorous measures against the Dutch, partly no doubt to protect their commerce, partly allured by the probable gains of privateering. Volunteers were raised to act with the English on Long Island, a Court of Admiralty was established to pronounce judgment on prizes, and commissions were granted to three officers, one of them that restless adventurer Underhill, another, William Dyer, the Secretary of the colony.[2] At a later day the colonists, in an apology for these proceedings, ascribed them mainly to the personal cupidity of the Secretary.[3] Meanwhile the Council of State in England had issued orders to Rhode Island to stay Dutch vessels.[4] The assembly at Providence, while accepting this instruction, sought to weaken its effect. They directed that each plantation should prepare for defense, and that no provisions should be supplied to the Dutch. But at the same time they ordered that no seizure of Dutch property should be made in the name of the colony without direct authority from themselves, thus as far as in them lay neutralizing the action of the islanders.[5]

The return of Williams from England in the summer of 1654 brought better things. He bore with him written proof of the success of his mission. From Cromwell he had obtained a safe conduct through the territory of Massachusetts.[6] He had called into the field too an ally of old standing. If Vane failed his Antinomian friends in their hour of need, he did much to atone for that failure by later services. Years too, at least such years as Vane had spent, could hardly fail to bear fruit. The impetuous and unstable egotist had learnt sobriety of thought and speech. He now sent a letter by Williams urging unity upon the settlers of Rhode Island.[7] He reproved them for their divisions, for "headiness, tumults, dis-

Return of Williams.

1 Mass. Records, vol. iv. pt. ii. p. 149.

2 R. I. Records, vol. i. pp. 265–7.

3 This is stated in a letter from the Assembly to Sir Henry Vane (R. I. Records, vol. i. pp. 287–9).

4 *Colonial Papers*, 1652, Oct. 1.

5 R. I. Records, vol. i. p. 261.

6 It is in Hazard (vol. i. p. 495).

7 This is given in full by Backus (vol. i. p. 288).

orders, injustice." Such evils, he says, indicate "dangerous disorders" and "incurable wounds." And we can scarcely doubt that there is an implied threat of absorption by Massachusetts when he tells them that the English government "gave them their freedom as supposing a better use would be made of it." Nor was Williams himself behindhand in pressing home these remonstrances. Respect for their advisers or dread of their encroaching neighbors prevailed with the settlers of Rhode Island. A conference was held, at which each town was represented by six commissioners. That conference decided that the rights of government and of legislation should henceforth be vested in a body composed like itself. At the same time the independence of each separate town and the direct control of the freemen over the laws was preserved by re-enacting that peculiar system of legislation originally introduced in 1647.[1]

Final pacification.

Two years later the last remaining sparks of the old strife were extinguished. Coddington by a formal act of submission resigned his claims and accepted the new order of things.[2] In 1658 the dispute as to Patuxet came to an end. Only four freemen remained there, and of those two had already accepted the authority of Rhode Island. The other two hesitated, avowedly from fear of offending Massachusetts.[3] That colony now resigned its claim.[4] The consolidation of Rhode Island was complete, and recurrence of the former disturbances was guarded against by a statute forbidding a citizen to place his land under any foreign jurisdiction, or to seek to introduce any foreign power.[5]

Disputes concerning civil authority.

Yet the troubles of Rhode Island were not over. The disunion of conflicting townships was succeeded by the disunion of anarchical citizens. That the teaching of Roger Williams involved the denial of all civil restraint was the contention of Cotton and the other orthodox teachers of Massachusetts. The doctrine thus imputed to Williams was now definitely asserted by certain disaffected citizens. A disturbance took place in Providence. The officers of the law interfered, and as a consequence a declaration was put out setting forth the doctrine that it was "blood guiltiness and against the rule of the gospel to execute judgment upon transgressors."

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1 R. I. Records, vol. i. pp. 276–80.

2 *Ib.* p. 327.

3 This is stated in a letter written by Roger Williams to the General Court of Massachusetts, November 15, 1655, published in the R. I. Records (vol. i. p. 322).

4 Mass. Records, vol. iv. pt. i. p. 333.

5 R. I. Records, vol. i. p. 401.

Loyalty to the state, eagerness to disclaim tenets which had been falsely imputed to him, and innate love of controversy, all urged Williams at once to take up the contest. All for which he contended, he says, was absolute freedom in the one point of worship. He likens the commonwealth to a ship, whose crew is made up of many religious denominations. Let all worship in their own respective fashions, but still let the captain control the course of the vessel and enforce general discipline. Here, as before, Williams finds it easy to solve a difficulty of which he misses the practical importance. He overlooks the fact that religion is not a detached department of life, but an element which pervades and determines all civil and social relations.[1]

But though his letter may be inadequate as a controversial statement of the question, it was effective enough as a practical answer to those for whom it was meant. In Rhode Island there was assuredly no danger that the necessities of civil order would be made a plea for interfering with freedom of thought or worship.

Two years later the doctrines which Williams had resisted were again set forth in a form somewhat more difficult to answer. One Harris, a man of undoubted ability, destined for many years to disturb the peace and endanger the unity of Rhode Island, wrote a pamphlet arguing that, if a man conscientiously disbelieved in the right of any human authority, he ought not to be forced to obey it.[2] It might have been possible for an astute controversialist to show that such a doctrine was implied in the teaching of Williams. Williams, however, at once adopted weapons other than those of abstract controversy. He issued a warrant for the apprehension of Harris. The charge was with good judgment based, not on the implied disobedience to the colonial government, but on the denial of the authority of the Protector and Parliament. The writings on which the charge of sedition was founded were sent to England, and Harris himself was bound over to keep the peace pending the inquiry.[3] The Restoration put an end to the proceedings in England. At a later day Harris figured prominently in the history of the colony,

Arrest of William Harris.

[1] The disturbance is described in the letter of Williams published by Backus (vol. i p. 296).

[2] This, at least, is the formal statement of his teaching, as described in a resolution of the Assembly (R. I. Records, vol. i. p. 364).

[3] The warrant itself is given by Mr. Arnold (vol. i. p. 263 *n.*); cf. the Records as above.

not as a preacher of anarchical doctrines, but as the advocate of the territorial claims of Connecticut against Rhode Island.

If the Restoration enabled Harris to escape, in other respects it brought an assurance of security to the troubled settlements in Narragansett Bay. The energies of Massachusetts were too fully needed for defense to leave any room for aggression, and the absorption of Newhaven by Connecticut reduced the Confederation to a nullity. The future integrity of Rhode Island was secured. Her founder, he who had been her champion against cupidity without and anarchy within, now fitly falls into the background. In 1657 he for the last time held the office of Governor. Henceforth he only comes into prominence when some special emergency of political strife or theological controversy calls for him. The great constructive work of his life was done. He had founded a commonwealth where, in spite of the contemptuous forebodings of Massachusetts chroniclers and the persistent efforts of Massachusetts statesmen to make those forebodings true, religious freedom and civil order stood together.

Effects of the Restoration in the colony.

APPENDICES.

APPENDIX A.

Challoner's Voyage of 1606, p. 18.

THERE is a curious uncertainty about the details of this voyage. Three years later the English ambassador at Paris, in a memorial setting forth various grievances of English citizens, made this statement, that Popham, Gorges, and others had in 1606 sent out the Richard under the command of Captain Challoner to explore the coast of Virginia and obtain a footing there; that this vessel was seized by a ship belonging to two merchants of Bordeaux, and that the owners had been unable to obtain redress. This memorial is in the "Domestic Correspondence" for 1614. I have to thank Mr. Sainsbury for calling my attention to it. Gorges' own tale is wholly at variance with this. According to him, Challoner, or, as he is here called, probably by a misprint, Challoung, fell ill. The vessel, taking too southerly a course, met the Spanish fleet coming from Havanna and was captured, and the captain and crew, including Gorges' two Indians, were carried prisoners to Spain. We cannot explain the discrepancy by supposing Gorges' memory to have failed him when he wrote his book. There is in the State Papers a letter from him to Salisbury telling how Challoner had just returned from Spain, and giving many details of Spanish politics learnt from him. This letter is in the "Domestic Correspondence" for 1608, May 4.

It is not impossible that Challoner might have made a short voyage which ended by his being taken by the French privateer, and then been sent out again and a second time been unfortunate. But it is assuredly strange that Gorges should have said nothing of this singular combination of misfortunes. Equally strange would it be if our ambassador brought a wholly unfounded charge dealing with events which happened only nine years before. The "Brief Relation" gives us no help; it only says of Challoner that,

"his misfortunes did expose him to the power of certain strangers, enemies to his proceedings, so that by them his company were seized, the ship and goods confiscated, and that voyage wholly overthrown."

APPENDIX B.

Grants and Settlements to the North of the Merrimac, p. 202.

1. March 9, 1622. Grant by the New England Council to Captain John Mason ("Colonial Entry Book," LIX. pp. 93–100).—The territory is described as a great headland or cape lying in the northernmost parts of the Massachusetts country, commonly known as Cape Trebizond or Cape Anne. The southern boundary is "the head of the great river supposed to be called Waumkeak"; the northern boundary is more clearly fixed at the Merrimac. This grant, as we have seen, was afterwards extinguished by agreement with the Massachusetts Company (*see* p. 87).

2. August 10, 1622. Grant to Gorges and Mason of all the land between the Merrimac and Sagadahoc ("Colonial EntryBook, LIX. pp. 101–108).—This they intended with the approval of the Council to call the Province of Maine. Later instruments in favor of the same patentees deprived this instrument of all legal value.

3. October 22, 1622. Grant made by the Plymouth Council to David Thomson of six thousand acres and an island, being the land settled by the three Plymouth merchants. The grant itself is not extant, but it is referred to in the contract between Thomson and the three partners. Deane (p. 359).—I have described in my text what was done under this grant. There is nothing to show with certainty what became of the settlement. It is not unlikely, as I have said (p. 207), that it was amalgamated with Portsmouth. Mr. Deane (p. 370) quotes a deposition made in 1676 by an inhabitant who had come over in 1632. He remembered a tradition that the house in which Neal lived was built by some Plymouth merchants.

4. 1626. Grant of land on the Kennebec to the Plymouth settlers (mentioned by Bradford, p. 157).—There is no proof that the original document or any authentic copy of it still exists. The grant was confirmed in 1630 (*see* above, p. 73). It was again confirmed and enlarged by the Council of State in 1652 ("Interregnum Entry Book," No. XCIV. p. 425). Holmes ("American Annals," vol. i. p. 381) says that it was sold to a private company of four partners in 1661 for 1,400*l.*

5. November 7, 1629. Grant by the Council of Plymouth to Captain John Mason of all the land lying between the Merrimac

and the Piscataqua rivers. This he intends with the approval of the Council to call New Hampshire.—This was the basis of all the subsequent claims which were made by Mason's heirs.

6. November 17, 1629. Grant to Gorges and Mason of lands on the rivers of the Iroquois which they intend naming Laconia ("Colonial Entry Book," LIX. pp. 115–121).—It is to be noticed that the so-called Laconia Company set up its three factories, not on this territory, but on the tract No. 5 granted to Mason as New Hampshire. The Laconia grant itself came to nothing.

7. The Hilton Patent, described at p. 207, which resulted in the settlement of Dover.

8. February 12, 1630. Grant to Oldham and Vines of a tract of four miles by eight on the west side of Saco river at its mouth.—This apparently is extant in the York Records. It is described by Mr. Willis in the first volume of the "Maine Historical Collection" (p. 40).

9. A grant of the same date of a like tract of land on the other side of the river to Thomas Lewis and Richard Bonighton.—The settlements made on these two tracts formed the township of Saco. In 1718 the name was changed to Biddeford. The portion which had originally formed the grant of Lewis and Bonighton was separated in 1772 under the name of Poppelborough. This was changed in the present century for the original name of Saco (Williamson's "History of Maine," vol. ii. p. 82).

10. A portion of this grant was settled by one Foxwell in 1636, under the name of Blue Point. A very full account of this is given by Mr. Southwell ("Maine Historical Collection," vol. iii. pp. 17–21).

11. March 2, 1630. Grant to John Beauchamp and Thomas Leverett of ten leagues square between Wiscongus and Penobscot Bay.—This comprised the greater part of what was afterwards Lincoln and Waldo Counties. The grant is in Hazard (vol. i. p. 304). According to Williamson, the patentees set up a factory, but the tract in question was not settled till many years later.

12. In 1630 Cleve and a partner, Richard Tucker, formed a plantation at the mouth of the Spurwink. They were ejected under a later grant (No. 18). In 1640 Cleve endeavored to recover possession by process of law, and pleaded a purchase from one Bradshaw. The record of Bradshaw's patent is extant (No. 16). Since it was executed in 1631 it is clear that, if Cleve had acquired it, he had done so after he had made his settlement. Mr. Willis goes very fully into the history of this occupation, quoting original documents from the records of York County.

13. The Plough Patent, of which I have spoken fully in my text, was also granted in 1630.

14. November 3, 1631. Grant of the house and plantations

situate at Piscataqua, lately belonging to Captain Neale, to the Laconia Company.—This brought their nominal and their actual territories into conformity. The grant is among the Colonial Papers.

15. November 4, 1631. Grant to Thomas Cammock of 1,500 acres on the east side of Black Point river.—This is in the Minutes of the Council for New England. A settlement was formed on this grant called Black Point.

16. A grant of 1,500 acres recorded at the same time to Richard Bradshaw.—All that we know of this is that Cleve afterwards claimed to have acquired it (*see* above).

17. December 1, 1631. 2,000 acres on the south side of Cape Porpoise granted to John Stratton (Minutes of Council).—A settlement called Cape Porpoise was formed on this land. Stratton also occupied certain islands called after him.

18. December 2, 1631. Lands between Casco Bay and Cammock's plantation granted to Robert Trelawny and Moses Goodyear (Minutes of Council).—These patentees ejected Cleves and Tucker, and formed a plantation at the mouth of the Spurwink. This, Blue Point (No. 9), Black Point (No. 15), and Stratton's Islands (mentioned in connection with No. 17) were all annexed to Massachusetts in 1658, and consolidated into the township of Scarborough.

19. December 2, 1631. Grant to Gorges and Norton and others, on which Agamenticus was settled (Minutes of Council).

20. February 29, 1632. Grant to Robert Aldsworth and Giles Eldridge of 12,000 acres of land at Pemaquid.—There is a very full account of this settlement in the fifth volume of the Maine Historical Society. It continued at times incorporated with Massachusetts, at times subject to the proprietorship of the Duke of York. It was converted into an outpost against the French and their Indian allies.

21. June 16, 1632. Grant to Way and Purchase of land on the river Bishopscott.—Afterwards sold by the patentees to Massachusetts (see p. 218). After the transfer Purchase continued to occupy the soil. Massachusetts, having secured other and more effectual hold over the land beyond the Merrimac, ceased to value this. In 1652 Prence was sent by the Plymouth government to administer their territory on the Kennebec, and at the same time Purchase placed himself and his settlement under the jurisdiction of Plymouth.

Besides the plantations made under these grants three settlements or groups of settlements were made under grants from Gorges:—

1. When Cleves and Tucker were ejected by Goodyear and

Trelawny they obtained from Gorges a grant of land on Casco Bay. This with other settlements near it became the township of Falmouth (Williamson, vol. i. p. 393; Willis, p. 22).

2. When Massachusetts annexed Exeter, Wheelwright removed northward within the jurisdiction of Gorges, and formed the settlement of Wells. The deed of grant from Thomas Gorges, acting on behalf of the Proprietor, to Wheelwright and his associates is published in an Appendix to Sullivan's "History of Maine," p. 408.

3. A number of scattered plantations on the north-east bank of the Piscataqua were in 1647 incorporated to form the township of Kittery.

No writer has, as far as I know, satisfactorily explained the origin of the name Maine. It has been said that the name was bestowed as a compliment to Henrietta Maria. I cannot find that she was in any way connected with Maine, save that she was a French princess. The name seems to be first used in the grant to Gorges and Mason, August 10, 1622. (No. 2 in the above list.)

New Hampshire was the name given by Mason to his grant of November 7, 1629. The name was always used to describe the tract between the Merrimac and the Piscataqua claimed by Mason's heirs, and containing the four townships of Dover, Exeter, Hampton, and Strawberry Bank. The name was only geographical, and had no political meaning till the territory was constituted a separate colony in 1679.

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